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THOMAS JEFFERSON

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ANDREW A. LIPSCOMB, *Chairman Board of Governors*
EDITOR-IN-CHIEF

ALBERT ELLERY BERGH
MANAGING EDITOR

VOL. XI.

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THE THOMAS JEFFERSON MEMORIAL ASSOCIATION
OF THE UNITED STATES
WASHINGTON, D. C.
1904

H.

Jefferson at Seventy-eight

Photogravure from the Original Painting by Thomas Sully, owned by the American Philosophical Society at Philadelphia.

The last life portrait of Thomas Jefferson, painted five years before his death, was originally ordered by the authorities of the United States Military Academy at West Point. From it Sully painted the full-length portrait of Jefferson, now in possession of the Military Academy.

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JEFFERSON'S VERSATILITY.

Its versatility was one of the most striking features of Thomas Jefferson's exquisite mind, which was both telescopic and microscopic in its range and operations. Shakespeare has been denominated "the Myriad-Minded." That description may be applied to Jefferson without exaggeration or bad taste.

Lord Bacon declared that he took all knowledge for his province, which Jefferson appears to have done also, although he never so stated or intimated. His bent was toward Philosophy, and the Philosophical Society of Paris voted him a gold medal for inventing a plow with mould-board of least resistance.

Sir Isaac Newton is much and justly lauded by historians for devising a plan for milling the edge of coins; but Jefferson accomplished so many things of importance in so many fields of human endeavor that little mention is made of the fact that he invented our system of Coinage, Weights and Measures—based on the Decimal Notation—thereby conferring an inestimable boon upon his countrymen.

Had he not been drawn by circumstances into the swirl of politics, he would as a Scientist have ranked with the Father of Inductive Philosophy, with the

Discoverer of the Law of Gravitation and with the Captor of the Lightning.

It is conceded by all his associates, whether friend or foe—and he had a full complement of both—that he thoroughly mastered the Law, to accomplish which task Lord Eldon asserted that "one must live like a hermit and work like a horse." Jefferson subscribed to the last half of Eldon's dictum, but scorned the first half utterly, for all his days he was the most sociable of mortals, being at home equally with the plain people and with the greatest of the sons of men.

While Mathematics were such a perpetual delight to him that he habitually carried with him a pocket-book of Logarithms as an aid in intricate calculations, he was thoroughly grounded in Greek, Latin, French and Italian, and was *in posse* as universal a linguist as Elihu Burritt, "The Learned Blacksmith." With much labor, indefatigable industry and infinite patience, he collected fifty Indian vocabularies, the loss of which by theft he mourned always.

As a Presidential scholar, he stands in a class with John Quincy Adams and James Abram Garfield. He was so "cunning with his pen," to borrow a happy phrase from John Adams, that in point of literary excellence his "Summary View of the Rights of British America," his "Declaration of Independence" and his first Inaugural Address rank with Milton's Prose, the Letters of Alexander Pope and the Book of Common Prayer.

To please a friend and as a mental recreation he

wrote his "Notes on Virginia," which is an authority to this day and which is as pleasant reading as Goldsmith's "Animated Nature," and much more instructive.

He possessed fine musical talent and was a famous fiddler, drawing the bow with the zest of Paganini and Ole Bull.

He was familiar with all systems of architecture and knew more about them than any other American of his generation.

Agriculture was his hobby; he did more for its promotion than any other statesman that ever lived, and deserves to be the perpetual Emeritus President of the Patrons of Husbandry. He was the first man on this continent to reduce farming to a science. He divided his lands into plots and kept an accurate account with each, so that he could ascertain what sorts of crops were suited to particular soils. He obtained, for the planters of the South, Turin rice, which has proved a source of vast wealth to that section. He imported the first Merino sheep, which are a great success, and experimented with Fat-tail sheep, which did not flourish in our climate. While controlling the multitudinous and multifarious affairs of a nascent Republic, he somehow found time to personally establish and conduct a miniature Agricultural Department, Botanical Garden and Weather Bureau, to make Meteorological observations three times a day through a long series of years, and to note minutely the first appearance in the market and

upon the table of each particular species of vegetable, fruit and grain, grown in this latitude.

He had made a profound study of the fauna and flora of America, and was a lover of flowers, shrubs, trees and animals. He was a skilful horseman, and until the day of his death, when past the Psalmist's extreme allotment of fourscore years, he would ride nothing but the pick and choice of Virginia thoroughbreds. Some of his favorite saddle-horses, notably "Wildair" and "Eagle," have reputations as enduring as Alexander's "Bucephalus," Napoleon's "Marengo," Wellington's "Copenhagen," Robert E. Lee's "Traveler," Stonewall Jackson's "Old Sorrel" or Philip H. Sheridan's "Rienzi."

Believing with all his heart that the intelligence of the masses is the true basis of free government, in his younger days he evolved the system of Public Schools now in vogue, which we boast is the chief bulwark of our liberties, and after retiring from the Presidency, founded the University of Virginia—one of the greatest institutions of learning on the whole face of the earth. By these two achievements—to say nothing of his political teachings—he has perhaps exerted a wider influence over the minds of men than any of his predecessors or successors in the Chief Magistracy of the Republic.

He must be counted among the greatest Lawgivers of all time. By abolishing the unjust and unnatural rule of Primogeniture he conferred a permanent benefaction upon his fellow citizens, and

his Statute of Religious Freedom is one of the three things on which he chose to rest his fame in his celebrated epitaph and which he deemed his clearest titles to the gratitude of future generations. Had his scheme of Gradual and Rational Emancipation been adopted, the chances are that we would have escaped the countless horrors and calamities of the war between the States. He, and not Nathan Dane, was the real author of the ordinance for the government of the Northwest Territory, although Daniel Webster undertook to give the honor to the latter. Jefferson was virtually the author of the first ten amendments to the Constitution of the United States, which are in the nature of a Bill of Rights, and which contain the essence of human freedom.

Napoleon declared that he would descend to posterity with his Code in his hand. Senator Hoar has said most felicitously that Jefferson comes down to us with the Declaration of Independence in one hand and the Louisiana Purchase in the other, but he will be largely and gratefully remembered for his wisdom as a Legislator for both State and Nation.

He was so thoroughly grounded in the principles of government of the people, by the people and for the people, that he was a potent factor in two Revolutions—one in America, the other in France—the purpose of which was to establish the twin propositions that "All men are created equal" and that "Governments derive their just powers from the consent of the governed." So clear was his vision

as a Statesman that after a century of legislation we have not attained his lofty standard of political conduct. The strongest proof of his versatility is the fact that he is more frequently quoted than any other Statesman the world has ever known.

Maryland Signers

(Declaration of Independence.)

The Reproductions are from the Original Paintings in Independence Hall, Philadelphia.

Charles Carroll, of Carrollton (1737-1832), born in Annapolis; was, while a child, taken by his father to France, where he was educated. His talent turned toward the law, and in 1757 he left France and went to London to complete his law studies at the Temple. Leaving England in 1764, he returned home to become a strong partisan in the cause for his country's liberty. At that time he was accounted the richest man in the Colonies. In February, 1776, he received an appointment, together with Franklin and Chase, to persuade Canada to join the Colonies. Failing in this mission, he came back to his native State and successfully urged the Maryland delegates in Congress to join in a resolution of Independence, June 28, 1776. He was a delegate to the Continental Congress from 1776 to 1778. He was one of the Committee to draft the Constitution of Maryland, and was elected United States Senator in 1788; also chosen as one of the commissioners to settle the boundary line between Virginia and Maryland. Charles Carroll outlived all the other signers of the "Declaration," and on July 4, 1828, when over ninety years of age, a magnificent public celebration was given in his honor. (*Reproduced from the Original Painting by Charles Wilson Peale.*)

Thomas Stone (1743-1787), born at Pointon Manor, Charles County; was a descendant of William Stone, Governor of the State during the Protectorate of Oliver Cromwell. He studied law with Thomas Johnson at Annapolis. Elected a member of the Continental Congress in 1775, where he remained till 1779; again a member in 1783-84, the latter part of which term he acted as president *pro tempore*. He served on a committee charged to prepare a plan of confederation and was made a delegate to the Convention of 1787, which was formed to prepare the Constitution of the United States, but circumstances forced him to decline the appointment. (*Reproduced from the Painting by Mayer after the Original Painting by Charles Wilson Peale.*)

William Paca (1740-1799), born at Wye Hall, Harford County; after the completion of his preparatory studies at Philadelphia College he went to London in 1762 and studied law. As early as 1771, while practicing his profession at Annapolis, he entered the legislature. In 1774 he was a member of the Committee of Correspondence, the same year becoming a delegate to the Continental Congress, where he remained till 1779. In turn he held the offices of State Senator, Chief Justice of the Supreme Court of Maryland, and Chief Judge of the Court of Appeals. In 1782 he was elected Governor, and in 1788 was a member of the Convention which ratified the Constitution of the United States. (*Reproduced from the Painting by Mayer after the Original Painting by Charles Wilson Peale.*)

Samuel Chase (1741-1811), born in Somerset County; during the Revolutionary period he was the leader of the patriots in his State. He was a member of the Committee of Correspondence and a delegate to the Continental Congress from 1774 to 1779. In 1776 he was chosen, with Franklin and Carroll, as a Commissioner to Canada to unite that country with the Colonies. He was a member of the Convention of 1787, formed to consider the Constitution of the United States. In 1791 he became Chief Justice of the General Court of Maryland, and five years later was nominated an Associate Justice of the United States Supreme Court, where he remained up to the time of his death. (*Reproduced from the Original Painting by Charles Wilson Peale.*)

WILLIAM PACA THOMAS STONE

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Thomas Stone (1743-1787), born at Poiston Manor, Charles County; was a descendant of William Stone, Governor of the State during the Protectorate of Oliver Cromwell. He studied law with Thomas Johnson at Annapolis. Elected a member of the Continental Congress in 1775, where he remained till 1779; again a member in 1783-84, the latter part of which term he acted as president *pro tempore*. He served on a committee charged to prepare a plan of confederation and was made a delegate to the Convention of 1787, which was formed to prepare the Constitution of the United States, but circumstances forced him to decline the appointment. (*Reproduced from the Painting by Meyer after the Original Painting by Charles Willson Peale.*)

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CHARLES CARROLL

SAMUEL CHASE

WILLIAM PACA

THOMAS STONE

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Letter of Thomas Jefferson to Harry Innes

(January 23, 1800.)

Fac-simile of the Original Draft in Jefferson's handwriting.

Harry Innes was a Virginian by birth, though spending the greater part of his life in Kentucky, where he held prominent offices. Jefferson and Innes corresponded during a period of fifteen years, the subject of the epistles being mainly on natural history and questions of law. (See same letter in Volume X, page 143.)

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CORRESPONDENCE.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

(CONTINUED.)

CORRESPONDENCE.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

(CONTINUED.)

JEFFERSON'S WORKS.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

TO JEAN BAPTISTE SAY.

WASHINGTON, February 1, 1804.

DEAR SIR,—I have to acknowledge the receipt of your obliging letter, and with it, of two very interesting volumes on Political Economy. These found me engaged in giving the leisure moments I rarely find, to the perusal of Malthus' work on population, a work of sound logic, in which some of the opinions of Adam Smith, as well as of the economists, are ably examined. I was pleased, on turning to some chapters where you treat the same questions, to find his opinions corroborated by yours. I shall proceed to the reading of your work with great pleasure. In the meantime, the present conveyance, by a gentleman of my family going to Paris, is too safe to hazard a delay in making my acknowledgments for this mark of attention, and for having

afforded to me a satisfaction, which the ordinary course of literary communications could not have given me for a considerable time.

The differences of circumstance between this and the old countries of Europe, furnish differences of fact whereon to reason, in questions of political economy, and will consequently produce sometimes a difference of result. There, for instance, the quantity of food is fixed, or increasing in a slow and only arithmetical ratio, and the proportion is limited by the same ratio. Supernumerary births consequently add only to your mortality. Here the immense extent of uncultivated and fertile lands enables every one who will labor, to marry young, and to raise a family of any size. Our food, then, may increase geometrically with our laborers, and our births, however multiplied, become effective. Again, there the best distribution of labor is supposed to be that which places the manufacturing hands alongside the agricultural; so that the one part shall feed both, and the other part furnish both with clothes and other comforts. Would that be best here? Egoism and first appearances say yes. Or would it be better that all our laborers should be employed in agriculture? In this case a double or treble portion of fertile lands would be brought into culture; a double or treble creation of food be produced, and its surplus go to nourish the now perishing births of Europe, who in return would manufacture and send us in exchange our clothes and other

comforts. Morality listens to this, and so invariably do the laws of nature create our duties and interests, that when they seem to be at variance, we ought to suspect some fallacy in our reasonings. In solving this question, too, we should allow its just weight to the moral and physical preference of the agricultural, over the manufacturing, man. My occupations permit me only to ask questions. They deny me the time, if I had the information, to answer them. Perhaps, as worthy the attention of the author of the *Traité d'Economie Politique*, I shall find them answered in that work. If they are not, the reason will have been that you wrote for Europe; while I shall have asked them because I think for America. Accept, Sir, my respectful salutations, and assurances of great consideration.

TO RUFUS KING, ESQ.

WASHINGTON, February 17, 1804.

DEAR SIR,—I now return you the manuscript history of Bacon's rebellion, with many thanks for the communication. It is really a valuable morsel in the history of Virginia. That transaction is the more marked, as it was the only rebellion or insurrection which had ever taken place in the colony before the American Revolution. Neither its cause nor course have been well understood, the public records containing little on the subject. It is very long since I read the several histories of Virginia,

but the impression remaining on my mind was not at all that which the writer gives; and it is impossible to refuse assent to the candor and simplicity of history. I have taken the liberty of copying it, which has been the reason of the detention of it. I had an opportunity, too, of communicating it to a person who was just putting into the press a history of Virginia, but all in a situation to be corrected. I think it possible that among the ancient manuscripts I possess at Monticello, I may be able to trace the author. I shall endeavor to do it the first visit I make to that place, and if with success, I will do myself the pleasure of communicating it to you. From the public records there is no hope, as they were destroyed by the British, I believe, very completely, during their invasion of Virginia. Accept my salutations, and assurances of high consideration and respect.

TO THE SECRETARY OF THE TREASURY.
(ALBERT GALLATIN.)

February 19, 1804.

Doctor Stevens having been sent by the preceding administration, in 1798, to St. Domingo, with the commission of consul-general, and also with authorities as an agent additional to the consular powers, under a stipulation that his expenses should be borne; an account of these is now exhibited to the Secretary of State, and the questions arise whether

the payment can be authorized by the Executive, and out of what fund?

The Constitution has made the Executive the organ for managing our intercourse with foreign nations. It authorizes him to appoint and receive ambassadors, other public ministers, and consuls. The term minister being applicable to other agents as well as diplomatic, the constant practice of the government, considered as a commentary, established this broad meaning; and the public interest approves it; because it would be extravagant to employ a diplomatic minister for a business which a mere rider would execute. The Executive being thus charged with the foreign intercourse, no law has undertaken to prescribe its specific duties. The permanent act of 1801, however, first, where he uses the agency of a minister plenipotentiary, or chargé, restricts him in the sums to be allowed for outfit, salary, return, and a secretary; and second, when any law has appropriated a sum for the *contingent* expenses of foreign intercourse, leaves to his discretion to dispense with the exhibition of the vouchers of its expenditure in the public offices. Under these two standing provisions there is annually a sum appropriated for the expenses of intercourse with foreign nations. The *purposes* of the appropriation being expressed by the *law*, in terms as general as the *duties* are by the *Constitution*, the application of the money is left as much to the discretion of the Executive, as the performance of the duties, saving always the provisions of 1801.

It is true that this appropriation is usually made on an estimate, given by the Secretary of State to the Secretary of the Treasury, and by him reported to Congress. But Congress, aware that too minute a specification has its evil as well as a too general one, does not make the estimate a part of their law, but gives a sum in gross, trusting the Executive discretion for that year and that sum only; so in other departments, as of war for instance, the estimate of the Secretary specifies all the items of clothing, subsistence, pay, etc., of the army. And Congress throws this into such masses as they think best, to wit, a sum in gross for clothing, another for subsistence, a third for pay, etc., binding up the Executive discretion only by the sum, and the object generalized to a certain degree. The minute details of the estimate are thus dispensed with in point of obligation, and the discretion of the officer is enlarged to the limits of the classification, which Congress thinks it best for the public interest to make. In the case before us, then, the sum appropriated may be applied to any agency with a foreign nation, which the Constitution has made a part of the duty of the President, as the organ of foreign intercourse.

The sum appropriated is generally the exact amount of the estimate, but not always. In the present instance the estimate, being for 1803, was only of $62,550, (including two outfits,) and the appropriation was of $75,562, leaving a difference

of $13,012. If indeed, there be not enough of this appropriation left to pay Dr. Stevens' just demands, they cannot be paid until Congress shall make some appropriation applicable to them. I say his *just* demands, because by the undertaking of the then administration to pay his expenses, justice as well as law will understand his *reasonable* expenses. These must be tried by the scale which law and usage have established, whereon the Minister, Chargé, and Secretary, are given as fixed terms of comparison. The undefined agency of Dr. Stevens must be placed opposite to that term of the scale, with which it may fairly be thought to correspond; and if he has gone beyond that, his expenses should be reduced to it. I think them beyond it, and suppose that Dr. Stevens, viewing himself as a merchant, as well as a public agent, found it answer his purposes as a merchant to apply a part of his receipts in that character in addition to what he might reasonably expect from the public, not then meaning to charge to his public character the extraordinary style of expense which he believed at the time he could afford out of his mercantile profits.

[*Statement of Dr. Stevens' case, referred to in preceding letter.*]

The Constitution having provided that the President should appoint ambassadors, other public ministers and consuls, and all other officers which shall be established by law, the first Congress which

met passed a law (July 1, 1790) authorizing him to draw from the treasury $40,000 annually for the support of such persons as he shall commission to serve the United States in foreign parts, and for the expense incident to the business in which they may be employed; with a proviso that, exclusive of an outfit to a Minister Plenipotentiary or Chargé, not exceeding a year's salary, he should allow to any Minister Plenipotentiary not more than $9,000 a year, for all his personal services and other expenses; to a Chargé not more than $4,500; to a Secretary not more than $1,350; and with a second proviso as to the mode of settlement. This act, which was temporary, was continued by those of 1793, February 9, 1794, March 20, 1796, May 30, 1798, March 19, till 1800, May 10, when they turned the two provisos into enacting clauses, and made them permanent, and the appropriating clause which made the body of the law before, is now annually inserted in the general appropriating law. See 1800, May 7, 1801, March 3, 1802, May 1, 1803, March 2, and 1804, March —. As Congress, in order to limit the discretion of officers as far as is safe, is in the practice of throwing the objects of appropriations into groups, *e. g.*, to the Secretary of State, and clerks, and other persons in that department so much; Secretary of Treasury, etc., so much; clothing for the army so much; subsistence so much; pay so much, etc. So they might have analyzed the foreign appropriation by allow-

ing for outfits of ministers so much; salaries of ministers so much; contingent expenses so much, etc. But they chose to throw it all into one mass, only providing that no outfit should exceed a year's salary, and no salary of a Minister be more than $9,000; of a Chargé $4,500; Secretary $1,350, etc.; leaving the President free to give them less if he chose, and to give to Ambassadors, Envoys, and other agents, what he thought proper. From the origin of the present government to this day, the construction of the laws, and the practice under them, has been to consider the whole fund (with only the limitations before mentioned) as under the discretion of the President as to the persons he should commission to serve the United States in foreign parts, and all the expenses incident to the business in which they may be employed. The grade consequently or character in which they should be employed, their allowance, etc. Thus Governor Morris was appointed by General Washington informally and without a commission to confer with the British ministers, and was allowed for eight months (I think) $1,000. Colonel Humphreys was appointed in 1790, to go as an agent to Madrid, and was allowed at the rate of $2,250 per annum. Dumas was kept at the Hague many years as an agent at $1,300 a year. Mr. Cutting was allowed disbursements for sailors in London in 1791, $233.33. Presents were made to the Chevalier Luzerne, on taking leave, worth $1,062.

Van Berhel $697. Du Moustier $555, in 1791. Mr. Short was sent to Amsterdam as an agent in 1792, and allowed $444.43. James Blake was sent as agent to Madrid in 1793, and received an advance of $800. I know not how much afterwards, as I left the office of Secretary of State at the close of that year. In 1794, Mr. Jay was appointed Envoy Extraordinary, a grade not particularly named in the Constitution, or any law, yet General Washington fixed his allowance. During the present administration Mr. Dawson and Lieutenant Leonard have been sent on special agencies. From the beginning of the government it has been the rule when one of our ministers is ordered to another place on a special business, to allow his expenses on that special mission, his salary going on at his residence where his family remains. Mr. Short's mission from Paris to Amsterdam, from Paris to Madrid; Mr. Pinckney from London to Madrid; Mr. Murray's from the Hague to Paris, and others not recollected by me, are instances of this. These facts are stated to show that it has been the uniform opinion and practice that the whole foreign fund was placed by the Legislature on the footing of a contingent fund, in which they undertake no specifications, but leave the whole to the discretion of the President. The whole is but from forty to sixty or seventy thousand dollars. After the establishment of the general fund for foreign intercourse, Congress found it necessary to make a separate

branch for the Barbary powers. This was done covertly in the beginning, to wit, in 1792, they gave $50,000 additional to the foreign fund, in 1794, $1,000,000 additional without limiting it to Barbary. Yet it was secretly understood by the President, and his discretion was trusted. In 1796, they gave $260,000 for treaties with the Mediterranean powers, in 1797, $280,259.03, for the expenses of negotiation with Algiers. They did not undertake a more minute analysis or specification, but left it to the President. The laws of 1796, May 6, 1797, March 3, 1799, March 2, give sums for specific purposes because these purposes were simple and understood by the Legislature. But in general, in this branch of the foreign expenses, as in the former one, the Legislature has thought that to cramp the public service by too minute specifications in cases which they could not foresee, might do more evil than a temporary trust to the President, which could be put an end to if abused.

In our western governments, heretofore established, they were so well understood by Congress, that they could and did specify every item of expense, except a very small residuum for which they made contingent appropriations. But when they came to provide at this session for the Louisiana government, with which they were not acquainted, they gave twenty thousand dollars for compensation to the officers of the government employed by the President, and for other civil expenses under the

direction of the President. And their first step towards the acquisition of that country was to confide to the President two millions of dollars under the general appropriation for foreign intercourse. These facts show that so far from having experienced evil from confiding the forty thousand dollars, foreign fund, to the discretion of the Executive without a specific analysis of its application, they have continued it on that footing, and in many other great cases where analysis was difficult or inexpedient they have given the sums in mass, and left the analysis to him, only requiring an account to be rendered.

This statement has been made in order to place on its true ground the case of Doctor Stevens. He was employed by Mr. Adams as agent to St. Domingo, and was to be allowed his expenses, though these were not limited, yet the law limits them in such case to what were reasonable. Doubts have arisen at the treasury whether the Executive had a right to make such a contract, and whether there be any fund out of which it can be paid? Some doubt has been expressed whether an appropriation law gives authority to pay for the purpose of the appropriation without some particular law authorizing it. If this be the case, the forty thousand dollar fund has been paid away without authority from its first establishment; for it never has been given but by a clause of appropriation. The Executive believes this sufficient authority, and so we presume did the Legislature, or they would have given

authority in some other sufficient form. And where is the rule of legal construction to be found which ascribes less effect to the words of an appropriation law, than of any other law? It is also doubted whether the estimate on which an appropriation is founded does not restrain the application to the specific articles, their number and amount as stated in the estimate? Were an appropriation law to come before a judge would he decide its meaning from its text, or would he call on the officer to produce their estimates as being a part of the law? On the whole, the following questions are to be determined: 1. Whether the laws do not justify the construction which has been uniformly given, either strictly, or at least so ambiguously, that, as in judiciary cases, the decisions which have taken place have fixed their meaning and made it law? 2. Whether they are so palpably against law that the practice must be arrested? 3. Whether it shall be arrested retrospectively as to moneys engaged but not yet actually paid, or only as to future contracts? 4. Whether any circumstances take Dr. Stevens' case out of the conditions and rights of other foreign agencies?

March 23, 1804.

TO B. H. LATROBE.

WASHINGTON, February 28, 1804.

DEAR SIR—I am sorry the explanations attempted between Dr. Thornton and yourself, on the man-

ner of finishing the chamber of the House of Representatives, have not succeeded. At the original establishment of this place advertisements were published many months offering premiums for the best plans for a Capitol and a President's house. Many were sent in. A council was held by General Washington with the Board of Commissioners, and after very mature examination two were preferred, and the premiums given to their authors, Doctor Thornton and Hobens, and the plans were decided on. Hobens' has been executed. On Doctor Thornton's plan of the Capitol the north wing has been extended, and the south raised one story. In order to get along with any public undertaking it is necessary that some stability of plan be observed—nothing impedes progress so much as perpetual changes of design. I yield to this principle in the present case more willingly because the plan begun for the Representative room will, in my opinion, be more handsome and commodious than anything which can now be proposed on the same area. And though the spheroidical dome presents difficulties to the executor, yet they are not beyond his art; and it is to overcome difficulties that we employ men of genius. While, however, I express my opinion that we had better go through with this wing of the Capitol on the plan which has been settled, I would not be understood to suppose there does exist sufficient authority to control the original plan in any of its parts, and to accommodate it to

changes of circumstances. I only mean that it is not advisable to change that of this wing in its present stage. Though I have spoken of a spheroidical roof, that will not be correct by the figure. Every rib will be a portion of a circle of which the radius will be determined by the span and rise of each rib. Would it not be best to make the internal columns of well-burnt brick, moulded in portions of circles adapted to the diminution of the columns? Burlington, in his notes on Palladio, tells us that he found most of the buildings erected under Palladio's direction, and described in his architecture, to have their columns made of brick in this way and covered over with stucco. I know an instance of a range of six or eight columns in Virginia, twenty feet high, well proportioned and properly diminished, executed by a common bricklayer. The bases and capitals would of course be of hewn stone. I suggest this for your consideration, and tender you my friendly salutations.

TO ELBRIDGE GERRY.

WASHINGTON, March 3, 1804.

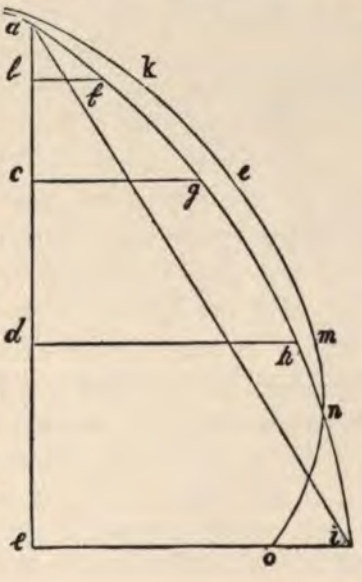
DEAR SIR,—Although it is long since I received your favor of October the 27th, yet I have not had leisure sooner to acknowledge it. In the middle and southern States, as great an union of sentiment has now taken place as is perhaps desirable. For as there will always be an opposition, I believe it had

better be from avowed monarchists than republicans. New York seems to be in danger of republican division; Vermont is solidly with us; Rhode Island with us on anomalous grounds; New Hampshire on the verge of the republican shore; Connecticut advancing towards it very slowly, but with steady step; your State only uncertain of making port at all. I had forgotten Delaware, which will be always uncertain, from the divided character of her citizens. If the amendment of the Constitution passes Rhode Island, (and we expect to hear in a day or two,) the election for the ensuing four years seems to present nothing formidable. I sincerely regret that the unbounded calumnies of the federal party have obliged me to throw myself on the verdict of my country for trial, my great desire having been to retire, at the end of the present term, to a life of tranquillity; and it was my decided purpose when I entered into office. They force my continuance. If we can keep the vessel of State as steadily in her course for another four years, my earthly purposes will be accomplished, and I shall be free to enjoy, as you are doing, my family, my farm, and my books. That your enjoyments may continue as long as you shall wish them, I sincerely pray, and tender you my friendly salutations, and assurances of great respect and esteem.

TO WILLIAM DUNBAR, ESQ.

WASHINGTON, March 13, 1804.

DEAR SIR,—Your favor of January 28 has been duly received, and I have read with great satisfaction your ingenuous paper on the subject of the Mississippi, which I shall immediately forward to the Philosophical Society, where it will be duly prized. To prove the value I set on it, and my wish that it may go to the public without any imperfection about it, I will take the liberty of submitting to your consideration the only passage which I think may require it. You say, page 9, "The velocity of rivers is greatest at the surface, and gradually diminishes downwards." And this principle enters into some subsequent parts of the paper, and has too much effect on the phenomena of that river not to merit mature consideration. I can but suppose it at variance with the law of motion in rivers. In strict theory, the velocity of water at any given depth in a river is (in addition to its velocity at its surface) whatever a body



would have acquired by falling through a space equal to that depth. If, in the middle of a river, we drop a vertical line, *a e*, from its surface to its bottom, and (using a perch, or rather a measure of 16.125 feet, for our unit of measure) we draw, at the depths, *b c d e*, (which suppose = 1.4 9.16 perch ordinates in the direction of the stream, equal to the odd numbers, 3, 5, 7, 9 perch, these ordinates will represent the additional velocities of the water per second of time, at the depth of their respective abscissæ, and will terminate in a curve, *a f g h i*,) which will represent the velocity of their current in every point, and the whole mass of water passing on in a second of time.[1] This would be the theory of the motion of rivers, were there no friction; but the bottom being rough, its friction with the lower sheet or lamina of water will retard that lamina; the friction or viscosity of the particles of which, again, with those of the one next above, will retard that somewhat less, the 2d retard the 3d, the 3d the 4th, and so on upwards, diminishing till the retardation becomes insensible; and the theoretic curve will be modified by that cause, as at *n o*, removing the maximum of motion

[1] These ordinates are arithmetical progressionals, each of which is double the root of its abscissa, plus unit. The equation, therefore, expressing the law of the curve is $y = 2 N x + 1$; that is, the velocity of the water of any depth will be double the root of that depth, plus unit. Were the line *a e* a wall, and *b f e g d h e i* troughs, along which water spouted from apertures at *b c d e*, their intersections with the curve at *f g h i* would mark the point in each trough to which the water would flow in a second of time, abating for friction.

from the bottom somewhere upwardly. Again, the same circumstances of friction and viscosity of the particles of water among themselves, will cause the lamina at the surface to be accelerated by the quicker motion of the one next below it, the 2d still more by the 3d, the 3d by the 4th, and so on downwards, the acceleration always increasing till it reached the lamina of greatest motion. The exact point of the maximum of motion cannot be calculated, because it depends on friction; but it is probably much nearer the bottom than top, because the greater power of the current there sooner overcomes the effect of the friction. Ultimately, the curve will be sensibly varied by being swelled outwardly above, and retracted inwardly below, somewhat like *a k l m n o*, in the preceding diagram.

Indulging corollaries on this theory, let us suppose a plane surface, as a large sheet of cast-iron, let down by a cable from a boat, and made to present its surface to the current by a long vane fixed on its axis in the direction of the current. Would not the current below, laying hold of this plate, draw the boat down the stream with more rapidity than that with which it otherwise moves on the surface of the water? Again, at the cross current of the surface which flows into the Chafaleya, and endangers the drawing boats into that river, as you mention, page 18, would not the same plane surface, if let down into the under current, which moves in the direction of the bed of the main river, have the effect of drawing the vessel

across the lateral current prevailing at its surface, and conduct the boat with safety along the channel of the river?

The preceding observations are submitted to your consideration. By drawing your attention to the subject, they will enable you, on further reflection, to confirm or correct your first opinion. If the latter, there would be time, before we print a volume, to make any alterations or additions to your paper which you might wish. We were much indebted for your communications on the subject of Louisiana. The substance of what was received from you, as well as others, was digested together and printed, without letting it be seen from whom the particulars came, as some were of a nature to excite ill-will. Of these publications I sent you a copy. On the subject of the limits of Louisiana, nothing was said therein, because we thought it best first to have explanations with Spain. In the first visit, after receiving the treaty, which I paid to Monticello, which was in August, I availed myself of what I have there, to investigate the limits. While I was in Europe, I had purchased everything I could lay my hands on which related to any part of America, and particularly had a pretty full collection of the English, French and Spanish authors, on the subject of Louisiana. The information I got from these was entirely satisfactory and I threw it into a shape which would easily take the form of a memorial. I now enclose you a copy of it. One single fact in it was taken from a publica-

tion in a newspaper, supposed to be written by Judge Bay, who had lived in West Florida. This asserted that the country from the Iberville to the Perdido was to this day called Louisiana, and a part of the government of Louisiana. I wrote to you to ascertain that fact, and received the information you were so kind as to send me; on the receipt of which, I changed the form of the assertion, so as to adapt it to what I suppose to be the fact, and to reconcile the testimony I have received, to wit, that though the name and division of West Florida have been retained; and in strictness, that country is still called by that name; yet it is also called Louisiana in common parlance, and even in some authentic public documents. The fact, however, is not of much importance. It would only have been an *argumentum ad hominem.* Although I would wish the paper enclosed never to be seen by anybody but yourself, and that it should not even be mentioned that the facts and opinions therein stated are founded in public authority, yet I have no objections to their being freely advanced in conversation, and as private and individual opinion, believing it will be advantageous that the extent of our rights should be known to the inhabitants of the country; and that however we may compromise on our Western limits, we never shall on the Eastern.

I formerly acquainted you with the mission of Captain Lewis up the Missouri, and across from its head to the Pacific. He takes about a dozen men

with him, is well provided with instruments, and qualified to give us the geography of the line he passes along with astronomical accuracy. He is now hutted opposite the mouth of the Missouri, ready to enter it on the opening of the season. He will be at least two years on the expedition. I propose to charge the Surveyor-General N. of Ohio, with a survey of the Mississippi from its source to the mouth of the Ohio, and with settling some other interesting points of geography in that quarter. Congress will probably authorize me to explore the greater waters on the western side of the Mississippi and Missouri, to their sources. In this case I should propose to send one party up the Panis river to its source, thence along the highlands to the source of the Radoncas river and down it to its mouth, giving the whole course of both parties, corrected by astronomical observation. These several surveys will enable us to prepare a map of Louisiana, which in its contour and main waters will be perfectly correct, and will give us a skeleton to be filled up with details hereafter. For what lies north of the Missouri, we suppose British industry will furnish that. As you live so near to the point of departure of the lowest expedition, and possess and can acquire so much better the information, which may direct that to the best advantage, I have thought, if Congress should authorize the enterprise, to propose to you the unprofitable trouble of directing it. The party would consist of ten or twelve picked soldiers, volunteers with an

officer, under the guidance of one or two persons qualified to survey and correct by observations of latitude and longitude, the latter lunar, and as well informed as we can get them in the departments of botany, natural history, and mineralogy. I am told there is a Mr. Walker in your town, and a Mr. Gillespie in North Carolina, possessing good qualifications. As you know them both, you can judge whether both are qualified, should two persons go, or which is best, should but one be sent, or whether there is any other person better qualified than either. Their pay would probably not exceed $1000 a year, to which would be added their subsistence. All preparations would be to be made at Natchez and New Orleans on your order. Instructions similar to those of Captain Lewis would go from here, to be added to by what should occur to yourself, and you would be the centre for the communications from the party to the government. Still this is a matter of speculation only, as Congress are hurrying over their business for adjournment, and may leave this article of it unfinished. In that case what I have said will be as if I had not said it.

There is such a difference of opinion in Congress as to the government to be given to Louisiana, that they may continue the present one another year. I hope and urge their not doing it, and the establishment of a government on the spot capable of meeting promptly its own emergencies. Accept my friendly salutations, and assurances of great esteem and respect.

TO GIDEON GRANGER.

MONTICELLO, April 16, 1804.

DEAR SIR,— * * * * * *

In our last conversation you mentioned a federal scheme afloat, of forming a coalition between the federalists and republicans, of what they called the seven eastern States. The idea was new to me, and after time for reflection I had no opportunity of conversing with you again. The federalists know, that, *eo nomine*, they are gone forever. Their object, therefore, is, how to return into power under some other form. Undoubtedly they have but one means, which is to divide the republicans, join the minority, and barter with them for the cloak of their name. I say, *join the minority;* because the majority of the republicans not needing them, will not buy them. The minority, having no other means of ruling the majority, will give a price for auxiliaries, and that price must be principle. It is true that the federalists, needing their numbers also, must also give a price, and principle is the coin they must pay in. Thus a bastard system of federo-republicanism will rise on the ruins of the true principles of our revolution. And when this party is formed, who will constitute the majority of it, which majority is then to dictate? Certainly the federalists. Thus their proposition of putting themselves into gear with the republican minority, is exactly like Roger Sherman's proposition to add Connecticut to Rhode Island. The idea

of forming seven eastern States is moreover clearly to form the basis of a separation of the Union. Is it possible that real republicans can be gulled by such a bait? And for what? What do they wish that they have not? Federal measures? That is impossible. Republican measures? Have they them not? Can any one deny, that in all important questions of principle, republicanism prevails? But do they want that their individual will shall govern the majority? They may purchase the gratification of this unjust wish, for a little time, at a great price; but the federalists must not have the passions of other men, if, after getting thus into the seat of power, they suffer themselves to be governed by their minority. This minority may say, that whenever they relapse into their own principles, they will quit them, and draw the seat from under them. They may quit them, indeed, but, in the meantime, all the venal will have become associated with them, and will give them a majority sufficient to keep them in place, and to enable them to eject the heterogeneous friends by whose aid they get again into power. I cannot believe any portion of real republicans will enter into this trap; and if they do, I do not believe they can carry with them the mass of their States, advancing so steadily as we see them, to an union of principle with their brethren. It will be found in this, as in all other similar cases, that crooked schemes will end by overwhelming their authors and coadjutors in disgrace, and that he alone who walks strict and

upright, and who, in matters of opinion, will be contented that others should be as free as himself, and acquiesce when his opinion is fairly overruled, will attain his object in the end. And that this may be the conduct of us all, I offer my sincere prayers, as well as for your health and happiness.

TO ALBERT GALLATIN.

May 30, 1804.

Although I know that it is best generally to assign no reason for a removal from office, yet there are also times when the declaration of a principle is advantageous. Such was the moment at which the New Haven letter appeared. It explained our principles to our friends, and they rallied to them. The public sentiment has taken a considerable stride since that, and seems to require that they should know again where we stand. I suggest therefore for your consideration, instead of the following passage in your letter to Bowen, "I think it due to candor at the same time to inform you, that I had for some time been determined to remove you from office, although a successor has not yet been appointed by the President, nor the precise time fixed for that purpose communicated to me;" to substitute this, "I think it due to candor at the same time to inform you, that the President considering that the patronage of public office should no longer be confided to one who uses it for active opposition to the national will, had, some

time since, determined to place your office in other hands. But a successor not being yet fixed on, I am not able to name the precise time when it will take place."

My own opinion is, that the declaration of this principle will meet the entire approbation of all moderate republicans, and will extort indulgence from the warmer ones. Seeing that we do not mean to leave arms in the hands of active enemies, they will care the less at our tolerance of the inactive. Nevertheless, if you are strongly of opinion against such a declaration, let the letter go as you had written it.

TO BARON ALEXANDER VON HUMBOLDT.

June 9, 1804.

Thomas Jefferson asks leave to observe to Baron de Humboldt that the question of limits of Louisiana, between Spain and the United States is this. They claim to hold to the river Mexicana or Sabine, and from the head of that northwardly along the heads of the waters of the Mississippi, to the head of the Red river and so on. We claim to the North river from its mouth to the source either of its eastern or western branch, thence to the head of Red river, and so on. Can the Baron inform me what population may be between those lines, of white, red, or black people? And whether any and what mines are within them? The information will be thankfully received. He tenders him his respectful salutations.

TO MRS. JOHN ADAMS.

WASHINGTON, June 13, 1804.

DEAR MADAM,—The affectionate sentiments which you have had the goodness to express in your letter of May the 20th, towards my dear departed daughter, have awakened in me sensibilities natural to the occasion, and recalled your kindnesses to her, which I shall ever remember with gratitude and friendship. I can assure you with truth, they had made an indelible impression on her mind, and that to the last, on our meetings after long separations, whether I had heard lately of you, and how you did, were among the earliest of her inquiries. In giving you this assurance I perform a sacred duty for her, and, at the same time, am thankful for the occasion furnished me, of expressing my regret that circumstances should have arisen, which have seemed to draw a line of separation between us. The friendship with which you honored me has ever been valued, and fully reciprocated; and although events have been passing which might be trying to some minds, I never believed yours to be of that kind, nor felt that my own was. Neither my estimate of your character, nor the esteem founded in that, has ever been lessened for a single moment, although doubts whether it would be acceptable may have forbidden manifestations of it.

Mr. Adams' friendship and mine began at an earlier date. It accompanied us through long and important scenes. The different conclusions we had

drawn from our political reading and reflections, were not permitted to lessen personal esteem; each party being conscious they were the result of an honest conviction in the other. Like differences of opinion existing among our fellow citizens, attached them to one or the other of us, and produced a rivalship in their minds which did not exist in ours. We never stood in one another's way; for if either had been withdrawn at any time, his favorers would not have gone over to the other, but would have sought for some one of homogeneous opinions. This consideration was sufficient to keep down all jealousy between us, and to guard our friendship from any disturbance by sentiments of rivalship; and I can say with truth, that one act of Mr. Adams' life, and one only, ever gave me a moment's personal displeasure. I did consider his last appointments to office as personally unkind. They were from among my most ardent political enemies, from whom no faithful co-operation could ever be expected; and laid me under the embarrassment of acting through men whose views were to defeat mine, or to encounter the odium of putting others in their places. It seems but common justice to leave a successor free to act by instruments of his own choice. If my respect for him did not permit me to ascribe the whole blame to the influence of others, it left something for friendship to forgive, and after brooding over it for some little time, and not always resisting the expression of it, I forgave it cordially, and returned to the same state of esteem

and respect for him which had so long subsisted. Having come into life a little later than Mr. Adams, his career has preceded mine, as mine is followed by some other; and it will probably be closed at the same distance after him which time originally placed between us. I maintain for him, and shall carry into private life, an uniform and high measure of respect and good will, and for yourself a sincere attachment.

I have thus, my dear Madam, opened myself to you without reserve, which I have long wished an opportunity of doing; and without knowing how it will be received, I feel relief from being unbosomed. And I have now only to entreat your forgiveness for this transition from a subject of domestic affliction, to one which seems of a different aspect. But though connected with political events, it has been viewed by me most strongly in its unfortunate bearings on my private friendships. The injury these have sustained has been a heavy price for what has never given me equal pleasure. That you may both be favored with health, tranquillity and long life, is the prayer of one who tenders you the assurance of his highest consideration and esteem.

TO GOVERNOR JOHN PAGE.

WASHINGTON, June 25, 1804.

Your letter, my dear friend, of the 25th ultimo, is a new proof of the goodness of your heart, and the part you take in my loss marks an affectionate con-

cern for the greatness of it. It is great indeed. Others may lose of their abundance, but I, of my want, have lost even the half of all I had. My evening prospects now hang on the slender thread of a single life. Perhaps I may be destined to see even this last cord of parental affection broken! The hope with which I had looked forward to the moment, when, resigning public cares to younger hands, I was to retire to that domestic comfort from which the last great step is to be taken, is fearfully blighted. When you and I look back on the country over which we have passed, what a field of slaughter does it exhibit! Where are all the friends who entered it with us, under all the inspiring energies of health and hope? As if pursued by the havoc of war, they are strewed by the way, some earlier, some later, and scarce a few stragglers remain to count the numbers fallen, and to mark yet, by their own fall, the last footsteps of their party. Is it a desirable thing to bear up through the heat of the action, to witness the death of all our companions, and merely be the last victim? I doubt it. We have, however, the traveller's consolation. Every step shortens the distance we have to go; the end of our journey is in sight, the bed wherein we are to rest, and to rise in the midst of the friends we have lost. "We sorrow not then as others who have no hope;" but look forward to the day which "joins us to the great majority." But whatever is to be our destiny, wisdom, as well as duty, dictates that we should acqui-

esce in the will of Him whose it is to give and take away, and be contented in the enjoyment of those who are still permitted to be with us. Of those connected by blood, the number does not depend on us. But friends we have, if we have merited them. Those of our earliest years stand nearest in our affections. But in this too, you and I have been unlucky. Of our college friends (and they are the dearest) how few have stood with us in the great political questions which have agitated our country; and these were of a nature to justify agitation. I did not believe the Lilliputian fetters of that day strong enough to have bound so many. Will not Mrs. Page, yourself and family, think it prudent to seek a healthier region for the months of August and September? And may we not flatter ourselves that you will cast your eye on Monticello? We have not many summers to live. While fortune places us then within striking distance, let us avail ourselves of it, to meet and talk over the tales of other times.

Present me respectfully to Mrs. Page, and accept yourself my friendly salutations, and assurances of constant affection.

TO JUDGE JOHN TYLER.

WASHINGTON, June 28, 1804.

DEAR SIR,—Your favor of the 10th instant has been duly received. Amidst the direct falsehoods, the misrepresentations of truth, the calumnies and

the insults resorted to by a faction to mislead the public mind, and to overwhelm those entrusted with its interests, our support is to be found in the approving voice of our conscience and country, in the testimony of our fellow citizens, that their confidence is not shaken by these artifices. When to the plaudits of the honest multitude, the sober approbation of the sage in his closet is added, it becomes a gratification of an higher order. It is the sanction of wisdom superadded to the voice of affection. The terms, therefore, in which you are so good as to express your satisfaction with the course of the present administration cannot but give me great pleasure. I may err in my measures, but never shall deflect from the intention to fortify the public liberty by every possible means, and to put it out of the power of the few to riot on the labors of the many. No experiment can be more interesting than that we are now trying, and which we trust will end in establishing the fact, that man may be governed by reason and truth. Our first object should therefore be, to leave open to him all the avenues to truth. The most effectual hitherto found, is the freedom of the press. It is, therefore, the first shut up by those who fear the investigation of their actions. The firmness with which the people have withstood the late abuses of the press, the discernment they have manifested between truth and falsehood, show that they may safely be trusted to hear everything true and false, and to form a correct judgment between them. As

little is it necessary to impose on their senses, or dazzle their minds by pomp, splendor, or forms. Instead of this artificial, how much surer is that real respect, which results from the use of their reason, and the habit of bringing everything to the test of common sense.

I hold it, therefore, certain, that to open the doors of truth, and to fortify the habit of testing everything by reason, are the most effectual manacles we can rivet on the hands of our successors to prevent their manacling the people with their own consent. The panic into which they were artfully thrown in 1798, the frenzy which was excited in them by their enemies against their apparent readiness to abandon all the principles established for their own protection, seemed for awhile to countenance the opinions of those who say they cannot be trusted with their own government. But I never doubted their rallying; and they did rally much sooner than I expected. On the whole, that experiment on their credulity has confirmed my confidence in their ultimate good sense and virtue.

I lament to learn that a like misfortune has enabled you to estimate the afflictions of a father on the loss of a beloved child. However terrible the possibility of such another accident, it is still a blessing for you of inestimable value that you would not even then descend childless to the grave. Three sons, and hopeful ones too, are a rich treasure. I rejoice when I hear of young men of virtue and talents, worthy

to receive, and likely to preserve the splendid inheritance of self-government, which we have acquired and shaped for them.

The complement of midshipmen for the Tripoline squadron, is full; and I hope the frigates have left the Capes by this time. I have, however, this day, signed warrants of midshipmen for the two young gentlemen you recommended. These will be forwarded by the Secretary of the Navy. He tells me that their first services will be to be performed on board the gun boats.

Accept my friendly salutations, and assurances of great esteem and respect.

TO JAMES MADISON.

July 5, 1804.

We did not collect the sense of our brethren the other day by regular questions, but as far as I could understand from what was said, it appeared to be,— 1. That an acknowledgment of our right to the Perdido, is a *sine qua non*, and no price to be given for it. 2. No absolute and perpetual relinquishment of right is to be made of the country east of the Rio Bravo del Norte, even in exchange for Florida. [I am not quite sure that this was the opinion of all.] 3. That a country may be laid off within which no further settlement shall be made by either party for a given time, say thirty years. This country to be from the North river eastwardly towards the Colorado, or even

to, but not beyond the Mexican or Sabine river. To whatever river it be extended, it might from its source run northwest, as the most eligible direction; but a due north line would produce no restraint that we should feel in twenty years. This relinquishment, and two millions of dollars, to be the price of all the Floridas east of the Perdido, or to be apportioned to whatever part they will cede.

But on entering into conferences, both parties should agree that, during their continuance, neither should strengthen their situation between the Iberville, Mississippi, and Perdido, nor interrupt the navigation of the rivers therein. If they will not give such an order instantly, they should be told that we have for peace sake only, forborne till they could have time to give such an order, but that as soon as we receive notice of their refusal to give the order we shall intermit the exercise of our right of navigating the Mobile, and protect it, and increase our force there *pari passu* with them.

TO GOVERNOR W. C. C. CLAIBORNE.

WASHINGTON, July 7, 1804.

DEAR SIR,—In a letter of the 17th of April, which I wrote you from Monticello, I observed to you that as the legislative council for the territory of Orleans, was to be appointed by me, and our distance was great, and early communication on the subject was necessary, that it ought to be composed of men of

integrity, of understanding, of clear property and influence among the people, well acquainted with the laws, customs, and habits of the country, and drawn from the different parts of the territory, whose population was considerable. And I asked the favor of you to inform me of the proper characters, with short sketches of the material outlines for estimating them; and I observed that a majority should be of sound American characters long established and esteemed there, and the rest of French or Spaniards, the most estimable and well affected. When in daily expectation of an answer from you, I received your favor of May 29th, whereby I perceive that my letter to you has never got to hand. I must therefore, at this late day, repeat my request to you, and ask an early answer, because after receiving it, I may perhaps have occasion to consult you again before a final determination. A letter *written* any time in August will find me at Monticello, near Milton, and had better be so directed. A blank commission for a Surveyor and Inspector for the port of Bayou St. John, will be forwarded to you to be filled up with any name you approve. I would prefer a native Frenchman, if you can find one proper and disposed to co-operate with us in extirpating that corruption which has prevailed in those offices under the former government, and had so familiarized itself as that men, otherwise honest, could look on that without horror. I pray you to be alive to the suppression of this odious practice, and that you bring to punishment and brand

with eternal disgrace every man guilty of it, whatever be his station.

TO PHILIP MAZZEI.

WASHINGTON, July 18, 1804.

MY DEAR SIR,—It is very long, I know, since I wrote you. So constant is the pressure of business that there is never a moment, scarcely, that something of public importance is not waiting for me. I have, therefore, on a principle of conscience, thought it my duty to withdraw almost entirely from all private correspondence, and chiefly the trans-Atlantic; I scarcely write a letter a year to any friend beyond sea. Another consideration has led to this, which is the liability of my letters to miscarry, be opened, and made ill use of. Although the great body of our country are perfectly returned to their ancient principles, yet there remains a phalanx of old tories and monarchists, more envenomed, as all their hopes become more desperate. Every word of mine which they can get hold of, however innocent, however orthodox even, is twisted, tormented, perverted, and, like the words of holy writ, are made to mean everything but what they were intended to mean. I trust little, therefore, unnecessarily in their way, and especially on political subjects. I shall not, therefore, be free to answer all the several articles of your letters.

On the subject of treaties, our system is to have

none with any nation, as far as can be avoided. The treaty with England has therefore not been renewed, and all overtures for treaty with other nations have been declined. We believe, that with nations as with individuals, dealings may be carried on as advantageously, perhaps more so, while their continuance depends on a voluntary good treatment, as if fixed by a contract, which, when it becomes injurious to either, is made, by forced constructions, to mean what suits them, and becomes a cause of war instead of a bond of peace. We wish to be on the closest terms of friendship with Naples, and we will prove it by giving to her citizens, vessels and goods all the privileges of the most favored nation; and while we do this voluntarily, we cannot doubt they will voluntarily do the same for us. Our interests against the Barbaresques being also the same, we have little doubt she will give us every facility to insure them, which our situation may ask and hers admit. It is not, then, from a want of friendship that we do not propose a treaty with Naples, but because it is against our system to embarrass ourselves with treaties, or to entangle ourselves at all with the affairs of Europe. The kind offices we receive from that government are more sensibly felt, as such, than they would be, if rendered only as due to us by treaty.

Five fine frigates left the Chesapeake the 1st instant for Tripoli, which, in addition to the force now there, will, I trust, recover the credit which Commodore Morris' two years' sleep lost us, and for which he has

been broke. I think they will make Tripoli sensible, that they mistake their interest in choosing war with us; and Tunis also, should she have declared war as we expect, and almost wish.

Notwithstanding this little diversion, we pay seven or eight millions of dollars annually of our public debt, and shall completely discharge it in twelve years more. That done, our annual revenue, now thirteen millions of dollars, which by that time will be twenty-five, will pay the expenses of any war we may be forced into, without new taxes or loans. The spirit of republicanism is now in almost all its ancient vigor, five-sixths of the people being with us. Fourteen of the seventeen States are completely with us, and two of the other three will be in one year. We have now got back to the ground on which you left us. I should have retired at the end of the first four years, but that the immense load of tory calumnies which have been manufactured respecting me, and have filled the European market, have obliged me to appeal once more to my country for a justification. I have no fear but that I shall receive honorable testimony by their verdict on those calumnies. At the end of the next four years I shall certainly retire. Age, inclination and principle all dictate this. My health, which at one time threatened an unfavorable turn, is now firm. The acquisition of Louisiana, besides doubling our extent, and trebling our quantity of fertile country, is of incalculable value, as relieving us from the danger of war. It has enabled

us to do a handsome thing for Fayette. He had received a grant of between eleven and twelve thousand acres north of Ohio, worth, perhaps, a dollar an acre. We have obtained permission of Congress to locate it in Louisiana. Locations can be found adjacent to the city of New Orleans, in the island of New Orleans and in its vicinity, the value of which cannot be calculated. I hope it will induce him to come over and settle there with his family. Mr. Livingston having asked leave to return, General Armstrong, his brother-in-law, goes in his place: he is of the first order of talents.

* * * * * * * * *

Remarkable deaths lately, are, Samuel Adams, Edmund Pendleton, Alexander Hamilton, Stephens Thompson Mason, Mann Page, Bellini, and Parson Andrews. To these I have the inexpressible grief of adding the name of my youngest daughter, who had married a son of Mr. Eppes, and has left two children. My eldest daughter alone remains to me, and has six children. This loss has increased my anxiety to retire, while it has dreadfully lessened the comfort of doing it. Wythe, Dickinson, and Charles Thompson are all living, and are firm republicans. You informed me formerly of your marriage, and your having a daughter, but have said nothing in your late letters on that subject. Yet whatever concerns your happiness is sincerely interesting to me, and is a subject of anxiety, retaining as I do,

cordial sentiments of esteem and affection for you. Accept, I pray you, my sincere assurances of this, with my most friendly salutations.

TO MRS. JOHN ADAMS.

WASHINGTON, July 22, 1804.

DEAR MADAM,—Your favor of the 1st instant was duly received, and I would not have again intruded on you, but to rectify certain facts which seem not to have been presented to you under their true aspect. My charities to Callendar are considered as rewards for his calumnies. As early, I think, as 1796, I was told in Philadelphia that Callendar, the author of the Political Progress of Britain, was in that city, a fugitive from persecution for having written that book, and in distress. I had read and approved the book; I considered him as a man of genius, unjustly persecuted. I knew nothing of his private character, and immediately expressed my readiness to contribute to his relief, and to serve him. It was a considerable time after, that, on application from a person who thought of him as I did, I contributed to his relief, and afterwards repeated the contribution. Himself I did not see till long after, nor ever more than two or three times. When he first began to write, he told some useful truths in his coarse way; but nobody sooner disapproved of his writing than I did, or wished more that he would be silent. My charities to him were no more meant as encouragements to his

scurrilities, than those I give to the beggar at my door are meant as rewards for the vices of his life, and to make them chargeable to myself. In truth, they would have been greater to him, had he never written a word after the work for which he fled from Britain. With respect to the calumnies and falsehoods which writers and printers at large published against Mr. Adams, I was as far from stooping to any concern or approbation of them, as Mr. Adams was respecting those of Porcupine, Fenno, or Russel, who published volumes against me for every sentence vended by their opponents against Mr. Adams. But I never supposed Mr. Adams had any participation in the atrocities of these editors, or their writers. I knew myself incapable of that base warfare, and believed him to be so. On the contrary, whatever I may have thought of the acts of the administration of that day, I have ever borne testimony to Mr. Adams' personal worth; nor was it ever impeached in my presence, without a just vindication of it on my part. I never supposed that any person who knew either of us, could believe that either of us meddled in that dirty work. But another fact is, that I "liberated a wretch who was suffering for a libel against Mr. Adams." I do not know who was the particular wretch alluded to; but I discharged every person under punishment or prosecution under the sedition law, because I considered, and now consider, that law to be a nullity, as absolute and as palpable as if Congress had ordered us to fall down and worship a

golden image; and that it was as much my duty to arrest its execution in every stage, as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship the image. It was accordingly done in every instance, without asking what the offenders had done, or against whom they had offended, but whether the pains they were suffering were inflicted under the pretended sedition law. It was certainly possible that my motives for contributing to the relief of Callendar, and liberating sufferers under the sedition law, might have been to protect, encourage, and reward slander; but they may also have been those which inspire ordinary charities to objects of distress, meritorious or not, or the obligation of an oath to protect the Constitution, violated by an unauthorized act of Congress. Which of these were my motives, must be decided by a regard to the general tenor of my life. On this I am not afraid to appeal to the nation at large, to posterity, and still less to that Being who sees himself our motives, who will judge us from his own knowledge of them, and not on the testimony of Porcupine or Fenno.

You observe, there has been one other act of my administration personally unkind, and suppose it will readily suggest itself to me. I declare on my honor, Madam, I have not the least conception what act was alluded to. I never did a single one with an unkind intention. My sole object in this letter being to place before your attention, that the acts imputed

to me are either such as are falsely imputed, or as might flow from good as well as bad motives, I shall make no other addition, than the assurances of my continued wishes for the health and happiness of yourself and Mr. Adams.

TO JAMES MADISON.

MONTICELLO, August 15, 1804.

DEAR SIR,—Your letter dated the 7th should probably have been of the 14th, as I received it only by that day's post. I return you Monroe's letter, which is of an awful complexion; and I do not wonder the communications it contains made some impression on him. To a person placed in Europe, surrounded by the immense resources of the nations there, and the greater wickedness of their courts, even the limits which nature imposes on their enterprises are scarcely sensible. It is impossible that France and England should combine for any purpose; their mutual distrust and deadly hatred of each other admit no co-operation. It is impossible that England should be willing to see France re-possess Louisiana, or get footing on our continent, and that France should willingly see the United States re-annexed to the British dominions. That the Bourbons should be replaced on their throne and agree to any terms of restitution, is possible; but that they and England joined, could recover us to British dominion, is impossible. If these things are not so, then human

reason is of no aid in conjecturing the conduct of nations. Still, however, it is our unquestionable interest and duty to conduct ourselves with such sincere friendship and impartiality towards both nations, as that each may see unequivocally, what is unquestionably true, that we may be very possibly driven into her scale by unjust conduct in the other. I am so much impressed with the expediency of putting a termination to the right of France to patronize the rights of Louisiana, which will cease with their complete adoption as citizens of the United States, that I hope to see that take place on the meeting of Congress. I enclosed you a paragraph from a newspaper respecting St. Domingo, which gives me uneasiness. Still I conceive the British insults in our harbor as more threatening. We cannot be respected by France as a neutral nation, nor by the world ourselves as an independent one, if we do not take effectual measures to support, at every risk, our authority in our own harbors. I shall write to Mr. Wagner directly (that a post may not be lost by passing through you) to send us blank commissions for Orleans and Louisiana, ready sealed, to be filled up, signed and forwarded by us. Affectionate salutations and constant esteem.

TO GOVERNOR W. C. C. CLAIBORNE.

MONTICELLO, August 13, 1804.

DEAR SIR,—Various circumstances of delay have prevented my forwarding till now, the general arrangements of the government of the territory of Orleans. Enclosed herewith you will receive the commissions. Among these is one for yourself as Governor. With respect to this I will enter into frank explanations. This office was originally destined for a person[1] whose great services and established fame would have rendered him peculiarly acceptable to the nation at large. Circumstances, however, exist, which do not now permit his nomination, and perhaps may not at any time hereafter. That, therefore, being suspended and entirely contingent, your services have been so much approved as to leave no desire to look elsewhere to fill the office. Should the doubts you have sometimes expressed, whether it would be eligible for you to continue, still exist in your mind, the acceptance of the commission gives you time to satisfy yourself by further experience, and to make the time and manner of withdrawing, should you ultimately determine on that, agreeable to yourself. Be assured that whether you continue or retire, it will be with every disposition on my part to be just and friendly to you.

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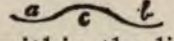
I salute you with friendship and respect.

[1] In the margin is written by the author, "La Fayette."

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, September 8, 1804.

DEAR SIR,—As we shall have to lay before Congress the proceedings of the British vessels at New York, it will be necessary for us to say to them with certainty which specific aggressions were committed within the common law, which within the admiralty jurisdiction, and which on the high seas. The rule of the common law is that wherever you can see from land to land, all the water within the line of sight is in the body of the adjacent county and within common law jurisdiction. Thus, if in this curvature  you can see from *a* to *b*, all the water within the line of sight is within common law jurisdiction, and a murder committed at *c* is to be tried as at common law. Our coast is generally visible, I believe, by the time you get within about twenty-five miles. I suppose that at New York you must be some miles out of the Hook before the opposite shores recede twenty-five miles from each other. The three miles of maritime jurisdiction is always to be counted from this line of sight. It will be necessary we should be furnished with the most accurate chart to be had of the shores and waters in the neighborhood of the Hook; and that we may be able to ascertain on it the spot of every aggression. I presume it would be within the province of Mr. Gelston to procure such a chart, and to ascertain the positions of the offending

vessels. If I am right in this, will you be so good as to instruct him so to do?

I think the officers of the federal government are meddling too much with the public elections. Will it be best to admonish them privately or by proclamation? This for consideration till we meet. I shall be at Washington by the last day of the month. I salute you with affection and respect.

TO MRS. JOHN ADAMS.

MONTICELLO, September 11, 1804.

Your letter, Madam, of the 18th of August has been some days received, but a press of business has prevented the acknowledgment of it: perhaps, indeed, I may have already trespassed too far on your attention. With those who wish to think amiss of me, I have learned to be perfectly indifferent; but where I know a mind to be ingenuous, and to need only truth to set it to rights, I cannot be as passive. The act of personal unkindness alluded to in your former letter, is said in your last to have been the removal of your eldest son from some office to which the judges had appointed him. I conclude then he must have been a commissioner of bankruptcy. But I declare to you, on my honor, that this is the first knowledge I have ever had that he was so. It may be thought, perhaps, that I ought to have inquired who were such, before I appointed others. But it is to be observed, that the former law permitted the judges to name

commissioners occasionally, only for every case as it arose, and not to make them permanent officers. Nobody, therefore, being in office, there could be no removal. The judges, you well know, have been considered as highly federal; and it was noted that they confined their nominations exclusively to federalists. The Legislature, dissatisfied with this, transferred the nomination to the President, and made the offices permanent. The very object in passing the law was, that he should correct, not confirm, what was deemed the partiality of the judges. I thought it therefore proper to inquire, not whom they had employed, but whom I ought to appoint to fulfil the intentions of the law. In making these appointments, I put in a proportion of federalists, equal, I believe, to the proportion they bear in numbers through the Union generally. Had I known that your son had acted, it would have been a real pleasure to me to have preferred him to some who were named in Boston, in what was deemed the same line of politics. To this I should have been led by my knowledge of his integrity, as well as my sincere dispositions towards yourself and Mr. Adams.

You seem to think it devolved on the judges to decide on the validity of the sedition law. But nothing in the Constitution has given them a right to decide for the Executive, more than to the Executive to decide for them. Both magistrates are equally independent in the sphere of action assigned to them. The judges, believing the law constitutional, had a

right to pass a sentence of fine and imprisonment; because the power was placed in their hands by the Constitution. But the executive, believing the law to be unconstitutional, were bound to remit the execution of it; because that power has been confided to them by the Constitution. That instrument meant that its co-ordinate branches should be checks on each other. But the opinion which gives to the judges the right to decide what laws are constitutional, and what not, not only for themselves in their own sphere of action, but for the legislature and executive also, in their spheres, would make the judiciary a despotic branch. Nor does the opinion of the unconstitutionality, and consequent nullity of that law, remove all restraint from the overwhelming torrent of slander, which is confounding all vice and virtue, all truth and falsehood, in the United States. The power to do that is fully possessed by the several State Legislatures. It was reserved to them, and was denied to the General Government, by the Constitution, according to our construction of it. While we deny that Congress have a right to control the freedom of the press, we have ever asserted the right of the States, and their exclusive right, to do so. They have accordingly, all of them, made provisions for punishing slander, which those who have time and inclination, resort to for the vindication of their characters. In general, the State laws appear to have made the presses responsible for slander as far as is consistent with its useful freedom

In those States where they do not admit even the truth of allegations to protect the printer, they have gone too far.

The candor manifested in your letter, and which I ever believed you to possess, has alone inspired the desire of calling your attention, once more, to those circumstances of fact and motive by which I claim to be judged. I hope you will see these intrusions on your time to be, what they really are, proofs of my great respect for you. I tolerate with the utmost latitude the right of others to differ from me in opinion without imputing to them criminality. I know too well the weakness and uncertainty of human reason to wonder at its different results. Both of our political parties, at least the honest part of them, agree conscientiously in the same object—the public good; but they differ essentially in what they deem the means of promoting that good. One side believes it best done by one composition of the governing powers; the other, by a different one. One fears most the ignorance of the people; the other, the selfishness of rulers independent of them. Which is right, time and experience will prove. We think that one side of this experiment has been long enough tried, and proved not to promote the good of the many; and that the other has not been fairly and sufficiently tried. Our opponents think the reverse. With whichever opinion the body of the nation concurs, that must prevail. My anxieties on this subject will never carry me beyond the use of fair and honor-

able means, of truth and reason; nor have they ever lessened my esteem for moral worth, nor alienated my affections from a single friend, who did not first withdraw himself. Whenever this has happened, I confess I have not been insensible to it; yet have ever kept myself open to a return of their justice. I conclude with sincere prayers for your health and happiness, that yourself and Mr. Adams may long enjoy the tranquillity you desire and merit, and see in the prosperity of your family what is the consummation of the last and warmest of human wishes.

TO JOHN F. MERCER, ESQ.

WASHINGTON, October 9, 1804.

DEAR SIR,—Your favor of September 28th, in behalf of Mr. Harwood, was duly received; the grounds on which one of the competitors stood, set aside of necessity all hesitation. Mr. Hall's having been a member of the Legislature, a Speaker of the Representatives, and a member of the Executive Council, were evidences of the respect of the State towards him, which our respect for the State could not neglect. You say you are forcibly led to say something on another subject very near your heart, which you defer to another opportunity. I presume it to be on your political situation, and perhaps the degree in which it may bear on our friendship. In the first case I declare to you that I have never suffered political opinion to enter into the estimate of

my private friendships; nor did I ever abdicate the society of a friend on that account till he had first withdrawn from mine. Many have left me on that account, but with many I still preserve affectionate intercourse, only avoiding to speak on politics, as with a Quaker or Catholic I would avoid speaking on religion. But I do not apply this to you; for however confidently it has been affirmed, I have not supposed that you have changed principles. What in fact is the difference of principle between the two parties here? The one desires to preserve an entire independence of the executive and legislative branches on each other, and the dependence of both on the same source—the free election of the people. The other party wishes to lessen the dependence of the Executive and of one branch of the Legislature on the people, some by making them hold for life, some hereditary, and some even for giving the Executive an influence by patronage or corruption over the remaining popular branch, so as to reduce the elective franchise to its minimum. I shall not believe you gone over to the latter opinions till better evidence than I have had. Yet were it the case, I repeat my declaration that exclusive of political coincidence of opinion, I have found a sufficiency of other qualities in you to value and cherish your friendship.

TO MR. LITHSON.

WASHINGTON, January 4, 1805.

DEAR SIR,—Your favor of December 4th has been duly received. Mr. Duane informed me that he meant to publish a new edition of the Notes on Virginia, and I had in contemplation some particular alterations which would require little time to make. My occupations by no means permit me at this time to revise the text, and make those changes in it which I should now do. I should in that case certainly qualify several expressions in the nineteenth chapter, which have been construed differently from what they were intended. I had under my eye, when writing, the manufacturers of the great cities in the old countries, at the time present, with whom the want of food and clothing necessary to sustain life, has begotten a depravity of morals, a dependence and corruption, which renders them an undesirable accession to a country whose morals are sound. My expressions looked forward to the time when our own great cities would get into the same state. But they have been quoted as if meant for the present time here. As yet our manufacturers are as much at their ease, as independent and moral as our agricultural inhabitants, and they will continue so as long as there are vacant lands for them to resort to; because whenever it shall be attempted by the other classes to reduce them to the minimum of subsistence, they will quit their trades and go to laboring the earth. A

first question is, whether it is desirable for us to receive at present the dissolute and demoralized handicraftsmen of the old cities of Europe? A second and more difficult one is, when even good handicraftsmen arrive here, is it better for them to set up their trade, or go to the culture of the earth? Whether their labor in their trade is worth more than their labor on the soil, increased by the creative energies of the earth? Had I time to revise that chapter, this question should be discussed, and other views of the subject taken, which are presented by the wonderful changes which have taken place here since 1781, when the Notes on Virginia were written. Perhaps when I retire, I may amuse myself with a serious review of this work; at present it is out of the question. Accept my salutations and good wishes.

TO JOHN TAYLOR, ESQ.

WASHINGTON, January 6, 1805.

DEAR SIR,—Your favor of December 26th has been duly received, as a proof of your friendly partialities to me, of which I have so often had reason to be sensible. My opinion originally was that the President of the United States should have been elected for seven years, and forever ineligible afterwards. I have since become sensible that seven years is too long to be irremovable, and that there should be a peaceable way of withdrawing a man in midway who is doing wrong. The service for eight years, with a

power to remove at the end of the first four, comes nearly to my principle as corrected by experience; and it is in adherence to that, that I determine to withdraw at the end of my second term. The danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard, that re-election through life shall become habitual, and election for life follow that. General Washington set the example of voluntary retirement after eight years. I shall follow it. And a few more precedents will oppose the obstacle of habit to any one after awhile who shall endeavor to extend his term. Perhaps it may beget a disposition to establish it by an amendment of the Constitution. I believe I am doing right therefore in pursuing my principle. I had determined to declare my intention, but I have consented to be silent on the opinion of friends, who think it best not to put a continuance out of my power in defiance of all circumstances. There is, however, but one circumstance which could engage my acquiescence in another election; to wit, such a division about a successor, as might bring in a monarchist. But that circumstance is impossible. While, therefore, I shall make no formal declaration to the public of my purpose, I have freely let it be understood in private conversation. In this I am persuaded yourself and my friends generally will approve of my views. And should I, at the end of a second term, carry into retirement all the favor which the first has acquired, I shall feel the consola-

tion of having done all the good in my power, and expect with more than composure the termination of a life no longer valuable to others or of importance to myself. Accept my affectionate salutations, and assurances of great esteem and respect.

TO ALBERT GALLATIN.

January 26, 1805.

The question arising on Mr. Simons' letter of January 10th is whether sea-letters shall be given to the vessels of citizens neither born nor residing in the United States. Sea-letters are the creatures of treaties. No act of the ordinary legislature requires them. The only treaties now existing with us, and calling for them, are those with Holland, Spain, Prussia, and France. In the two former we have stipulated that when the other party shall be at war, the vessels belonging to our people shall be furnished with sea-letters; in the two latter that the *vessels of the neutral* party shall be so furnished. France being now at war, the sea-letter is made necessary for our vessels; and consequently it is our duty to furnish them. The laws of the United States confine registers to *home-built* vessels belonging to citizens; but they do not make it unlawful for citizens to own foreign-built vessels; and the treaties give the right of sea-letters to all vessels belonging to citizens.

But who are citizens? The laws of registry consider a citizenship obtained by a foreigner who comes

merely for that purpose, and returns to reside in his own country, as fraudulent, and deny a register to such an one, even owning home-built vessels. I consider the distinction as sound and safe, and that we ought not to give sea-letters to a vessel belonging to such a pseudo-citizen. It compromises our peace, by lending our flag to cover the goods of one of the belligerents to the injury of the other. It produces vexatious searches on the vessels of our real citizens, and gives to others the participation of our neutral advantages, which belong to the real citizen only. And inasmuch as an uniformity of rule between the different branches of the government is convenient and proper, I would propose as a rule that sea-letters be given to all vessels *belonging* to citizens under whose ownership of a registered vessel such vessel would be entitled to the benefits of her register. Affectionate salutations.

TO JOSEPH H. NICHOLSON.

WASHINGTON, January 29, 1805.

DEAR SIR,—Mr. Eppes has this moment put into my hands your letter of yesterday, asking information on the subject of the gunboats proposed to be built. I lose no time in communicating to you fully my whole views respecting them, premising a few words on the system of fortifications. Considering the harbors which, from their situation and importance, are entitled to defence, and the estimates we

have seen of the fortifications planned for some of them, this system cannot be completed on a moderate scale for less than fifty millions of dollars, nor manned in time of war, with less than fifty thousand men, and in peace, two thousand. And when done they avail little; because all military men agree, that wherever a vessel may pass a fort without tacking under her guns, which is the case at all our seaport towns, she may be annoyed more or less, according to the advantages of the position, but can never be prevented. Our own experience during the war proved this on different occasions. Our predecessors have, nevertheless, proposed to go into this system, and had commenced it. But no law requiring us to proceed, we have suspended it.

If we cannot hinder vessels from entering our harbors, we should turn our attention to the putting it out of their power to lie, or come to, before a town, to injure it. Two means of doing this may be adopted in aid of each other. 1. Heavy cannon on travelling carriages, which may be moved to any point on the bank or beach most convenient for dislodging the vessel. A sufficient number of these should be lent to each seaport town, and their militia trained to them. The executive is authorized to do this; it has been done in a small degree, and will now be done more competently.

2. Having cannon on floating batteries or boats, which may be so stationed as to prevent a vessel entering the harbor, or force her, after entering, to

depart. There are about fifteen harbors in the United States which ought to be in a state of substantial defence. The whole of these would require, according to the best opinions, two hundred and forty gunboats. Their cost was estimated by Captain Rogers at two thousand dollars each; but we had better say four thousand dollars. The whole would cost one million of dollars. But we should allow ourselves ten years to complete it, unless circumstances should force it sooner. There are three situations in which the gunboat may be. 1. Hauled up under a shed, in readiness to be launched and manned by the seamen and militia of the town on short notice. In this situation she costs nothing but an enclosure, or a sentinel to see that no mischief is done to her. 2. Afloat, and with men enough to navigate her in harbor and take care of her, but depending on receiving her crew from the town on short warning. In this situation, her annual expense is about two thousand dollars, as by an official estimate at the end of this letter. 3. Fully manned for action. Her annual expense in this situation is about eight thousand dollars, as per estimate subjoined. When there is general peace, we should probably keep about six or seven afloat in the second situation; their annual expense twelve to fourteen thousand dollars; the rest all hauled up. When France and England are at war, we should keep, at the utmost, twenty-five in the second situation; their annual expense, fifty thousand dollars. When

we should be at war ourselves, some of them would probably be kept in the third situation, at an annual expense of eight thousand dollars; but how many, must depend on the circumstances of the war. We now possess ten, built and building. It is the opinion of those consulted, that fifteen more would enable us to put every harbor under our view into a respectable condition; and that this should limit the views of the present year. This would require an appropriation of sixty thousand dollars; and I suppose *that* the best way of limiting it, without declaring the number, as perhaps that sum would build more. I should think it best not to give a detailed report, which exposes our policy too much. A bill, with verbal explanations, will suffice for the information of the House. I do not know whether General Wilkinson would approve the printing his paper. If he would, it would be useful.

Accept affectionate and respectful salutations.

TO C. F. C. DE VOLNEY.

WASHINGTON, February 8, 1805.

DEAR SIR,—Your letter of November the 26th came to hand May the 14th; the books some time after, which were all distributed according to direction. The copy for the East Indies went immediately by a safe conveyance. The letter of April the 28th, and the copy of your work accompanying that, did not come to hand till August. That copy was

deposited in the Congressional library. It was not till my return here from my autumnal visit to Monticello, that I had an opportunity of reading your work. I have read it, and with great satisfaction. Of the first part I am less a judge than most people, having never travelled westward of Staunton, so as to know anything of the face of the country; nor much indulged myself in geological inquiries, from a belief that the skin-deep scratches which we can make or find on the surface of the earth, do not repay our time with as certain and useful deductions as our pursuits in some other branches. The subject of our winds is more familiar to me. On that, the views you have taken are always great, supported in their outlines by your facts; and though more extensive observations, and longer continued, may produce some anomalies, yet they will probably take their place in this first great canvas which you have sketched. In no case, perhaps, does habit attach our choice or judgment more than in climate. The Canadian glows with delight in his sleigh and snow; the very idea of which gives me the shivers. The comparison of climate between Europe and North America, taking together its corresponding parts, hangs chiefly on three great points. 1. The changes between heat and cold in America are greater and more frequent, and the extremes comprehend a greater scale on the thermometer in America than in Europe. Habit, however, prevents these from affecting us more than the smaller changes of Europe

affect the European. But he is greatly affected by ours. 2. Our sky is always clear; that of Europe always cloudy. Hence a greater accumulation of heat here than there, in the same parallel. 3. The changes between wet and dry are much more frequent and sudden in Europe than in America. Though we have double the rain, it falls in half the time. Taking all these together, I prefer much the climate of the United States to that of Europe. I think it a more cheerful one. It is our cloudless sky which has eradicated from our constitutions all disposition to hang ourselves, which we might otherwise have inherited from our English ancestors. During a residence of between six and seven years in Paris, I never, but once, saw the sun shine through a whole day, without being obscured by a cloud in any part of it; and I never saw the moment, in which, viewing the sky through its whole hemisphere, I could say there was not the smallest speck of a cloud in it. I arrived at Monticello, on my return from France, in January; and during only two months' stay there, I observed to my daughters, who had been with me to France, that, twenty odd times within that term, there was not a speck of a cloud in the whole hemisphere. Still I do not wonder that an European should prefer his gray to our azure sky. Habit decides our taste in this, as in most other cases.

The account you give of the yellow fever, is entirely agreeable to what we then knew of it. Further experience has developed more and more its peculiar

character. Facts appear to have established that it is originated here by a local atmosphere, which is never generated but in the lower, closer, and dirtier parts of our large cities, in the neighborhood of the water; and that, to catch the disease, you must enter the local atmosphere. Persons having taken the disease in the infected quarter, and going into the country, are nursed and buried by their friends, without an example of communicating it. A vessel going from the infected quarter, and carrying its atmosphere in its hold into another State, has given the disease to every person who there entered her. These have died in the arms of their families, without a single communication of the disease. It is certainly, therefore, an epidemic, not a contagious disease; and calls on the chemists for some mode of purifying the vessel by a decomposition of its atmosphere, if ventilation be found insufficient. In the long scale of bilious fevers, graduated by many shades, this is probably the last and most mortal term. It seizes the native of the place equally with strangers. It has not been long known in any part of the United States. The shade next above it, called the stranger's fever, has been coeval with the settlement of the larger cities in the Southern parts, to wit, Norfolk, Charleston, New Orleans. Strangers going to these places in the months of July, August, or September, find this fever as mortal as the genuine yellow fever. But it rarely attacks those who have resided in them some time. Since we have known that kind of yel-

low fever which is no respecter of persons, its name has been extended to the stranger's fever, and every species of bilious fever which produces a black vomit, that is to say, a discharge of very dark bile. Hence we hear of yellow fever on the Alleghany mountains, in Kentucky, etc. This is a matter of definition only; but it leads into error those who do not know how loosely and how interestedly some physicians think and speak. So far as we have yet seen, I think we are correct in saying, that the yellow fever, which seizes on all indiscriminately, is an ultimate degree of bilious fever never known in the United States till lately, nor farther South, as yet, than Alexandria; and that what they have recently called the yellow fever in New Orleans, Charleston and Norfolk, is what has always been known in those places as confined chiefly to strangers, and nearly as mortal *to them*, as the other is to *all* its subjects. But both grades are local; the stranger's fever less so, as it sometimes extends a little into the neighborhood; but the yellow fever rigorously so, confined within narrow and well-defined limits, and not communicable out of those limits. Such a constitution of atmosphere being requisite to originate this disease as is generated only in low, close, and ill-cleansed parts of a town, I have supposed it practicable to prevent its generation by building our cities on a more open plan. Take, for instance, the chequer board for a plan. Let the black squares only be building squares, and the white ones be left open, in turf and

trees. Every square of houses will be surrounded by four open squares, and every house will front an open square. The atmosphere of such a town would be like that of the country, insusceptible of the miasmata which produce yellow fever. I have accordingly proposed that the enlargements of the city of New Orleans, which must immediately take place, shall be on this plan. But it is only in case of enlargements to be made, or of cities to be built, that this means of prevention can be employed.

The *genus irritabile vatum* could not let the author of the Ruins publish a new work, without seeking in it the means of discrediting that puzzling composition. Some one of those holy calumniators has selected from your new work every scrap of a sentence, which, detached from its context, could displease an American reader. A cento has been made of these, which has run through a particular description of newspapers, and excited a disapprobation even in friendly minds, which nothing but the reading of the book will cure. But time and truth will at length correct error.

Our countrymen are so much occupied in the busy scenes of life, that they have little time to write or invent. A good invention here, therefore, is such a rarity as it is lawful to offer to the acceptance of a friend. A Mr. Hawkins of Frankford, near Philadelphia, has invented a machine which he calls a polygraph, and which carries two, three, or four pens. That of two pens, with which I am now writing, is

best; and is so perfect that I have laid aside the copying-press, for a twelvemonth past, and write always with the polygraph. I have directed one to be made, of which I ask your acceptance. By what conveyance I shall send it while Havre is blockaded, I do not yet know. I think you will be pleased with it, and will use it habitually as I do; because it requires only that degree of mechanical attention which I know you to possess. I am glad to hear that M. Cabanis is engaged in writing on the refomation of medicine. It needs the hand of a reformer, and cannot be in better hands than his. Will you permit my respects to him and the Abbé de la Roche to find a place here?

A word now on our political state. The two parties which prevailed with so much violence when you were here, are almost wholly melted into one. At the late Presidential election I have received one hundred and sixty-two votes against fourteen only. Connecticut is still federal by a small majority; and Delaware on a poise, as she has been since 1775, and will be till Anglomany with her yields to Americanism. Connecticut will be with us in a short time. Though the people in mass have joined us, their leaders had committed themselves too far to retract. Pride keeps them hostile; they brood over their angry passions, and give them vent in the newspapers which they maintain. They still make as much noise as if they were the whole nation. Unfortunately, these being the mercantile papers, published chiefly

in the seaports, are the only ones which find their way to Europe, and make very false impressions there. I am happy to hear that the late derangement of your health is going off, and that you are re-established. I sincerely pray for the continuance of that blessing, and with my affectionate salutations, tender you assurances of great respect and attachment.

P. S. The sheets which you receive are those of the copying-pen of the polygraph, not of the one with which I have written.

TO JUDGE JOHN TYLER.

MONTICELLO, March 29, 1805.

DEAR SIR,—Your favor of the 17th found me on a short visit to this place, and I observe in it with great pleasure a continuance of your approbation of the course we are pursuing, and particularly the satisfaction you express with the last inaugural address. The first was, from the nature of the case, all profession and promise. Performance, therefore, seemed to be the proper office of the second. But the occasion restricted me to mention only the most prominent heads, and the strongest justification of these in the fewest words possible. The crusade preached against philosophy by the modern disciples of steady habits, induced me to dwell more in showing its effect with the Indians than the subject otherwise justified.

The war with Tripoli stands on two grounds of fact. 1st. It is made known to us by our agents with the three other Barbary States, that they only wait to see the event of this, to shape their conduct accordingly. If the war is ended by additional tribute, they mean to offer us the same alternative. 2dly. If peace was made, we should still, and shall ever, be obliged to keep a frigate in the Mediterranean to overawe rupture, or we must abandon that market. Our intention in sending Morris with a respectable force, was to try whether peace could be forced by a coercive enterprise on their town. His inexecution of orders baffled that effort. Having broke him, we try the same experiment under a better commander. If in the course of the summer they cannot produce peace, we shall recall our force, except one frigate and two small vessels, which will keep up a perpetual blockade. Such a blockade will cost us no more than a state of peace, and will save us from increased tributes, and the disgrace attached to them. There is reason to believe the example we have set, begins already to work on the dispositions of the powers of Europe to emancipate themselves from that degrading yoke. Should we produce such a revolution there, we shall be amply rewarded for what we have done. Accept my friendly salutations, and assurances of great respect and esteem.

TO DOCTOR GEORGE LOGAN.

WASHINGTON, May 11, 1805.

DEAR SIR,— * * * * * * *

I see with infinite pain the bloody schism which has taken place among our friends in Pennsylvania and New York, and will probably take place in other States. The main body of both sections mean well, but their good intentions will produce great public evil. The minority, whichever section shall be the minority, will end in coalition with the federalists, and some compromise of principle; because these will not sell their aid for nothing. Republicanism will thus lose, and royalism gain, some portion of that ground which we thought we had rescued to good government. I do not express my sense of our misfortunes from any idea that they are remediable. I know that the passions of men will take their course, that they are not to be controlled but by despotism, and that this melancholy truth is the pretext for despotism. The duty of an upright administration is to pursue its course steadily, to know nothing of these family dissensions, and to cherish the good principles of both parties. The war *ad internecionem* which we have waged against federalism, has filled our latter times with strife and unhappiness. We have met it, with pain indeed, but with firmness, because we believed it the last convulsive effort of that Hydra, which in earlier times we had conquered in the field. But if any degeneracy of principle

should ever render it necessary to give ascendancy to one of the rising sections over the other, I thank my God it will fall to some other to perform that operation. The only cordial I wish to carry into my retirement, is the undivided good will of all those with whom I have acted.

Present me affectionately to Mrs. Logan, and accept my salutations, and assurances of constant friendship and respect.

TO JUDGE JAMES SULLIVAN.

WASHINGTON, May 21, 1805.

DEAR SIR,—An accumulation of business, which I found on my return here from a short visit to Monticello, has prevented till now my acknowledgment of your favor of the 14th ultimo. This delay has given time to see the result of the contest in your State, and I cannot but congratulate you on the advance it manifests, and the certain prospect it offers that another year restores Massachusetts to the general body of the nation. You have indeed received the federal unction of lying and slandering. But who has not? Who will ever again come into eminent office, unanointed with this chrism? It seems to be fixed that falsehood and calumny are to be their ordinary engines of opposition; engines which will not be entirely without effect. The circle of characters equal to the first stations is not too large, and will be lessened by the voluntary retreat

of those whose sensibilities are stronger than their confidence in the justice of public opinion. I certainly have known, and still know, characters eminently qualified for the most exalted trusts, who could not bear up against the brutal hackings and hewings of these heroes of Billingsgate. I may say, from intimate knowledge, that we should have lost the services of the greatest character of our country, had he been assailed with the degree of abandoned licentiousness now practised. The torture he felt under rare and slight attacks, proved that under those of which the federal bands have shown themselves capable, he would have thrown up the helm in a burst of indignation. Yet this effect of sensibility must not be yielded to. If we suffer ourselves to be frightened from our post by mere lying, surely the enemy will use that weapon; for what one so cheap to those of whose system of politics morality makes no part? The patriot, like the Christian, must learn that to bear revilings and persecutions is a part of his duty; and in proportion as the trial is severe, firmness under it becomes more requisite and praiseworthy. It requires, indeed, self-command. But that will be fortified in proportion as the calls for its exercise are repeated. In this I am persuaded we shall have the benefit of your good example. To the other falsehoods they have brought forward, should they add, as you expect, insinuations of want of confidence in you from the administration generally, or myself particularly, it will, like their other

falsehoods, produce in the public mind a contrary inference.

* * * * * * * * *

I tender you my friendly and respectful salutations.

TO WILLIAM DUNBAR.

WASHINGTON, May 25, 1805.

DEAR SIR,—Your several letters, with the portions of your journals, forwarded at different times, have been duly received; and I am now putting the journal into the hands of a person properly qualified to extract the results of your observations, and the various interesting information contained among them, and bring them into such a compass as may be communicated to the Legislature. Not knowing whether you might not intend to make a map yourself, of the course of the river, he will defer that to the last part of his work, on the possibility that we may receive it from yourself. Your observations on the difficulty of transporting baggage from the head of the Red river to that of the Arkansas, with the dangers from the seceding Osages residing on the last river, have determined me to confine the ensuing mission to the ascent of the Red river to its source, and to descend the same river again, which will give an opportunity of better ascertaining that which, in truth, next to the Missouri, is the most interesting water of the Mississippi. You will accordingly receive instructions to this effect, from the Secre-

tary of War. Dr. Hunter does not propose to take a part in this mission, and we suppose that Mr. George Davis, a deputy of Mr. Briggs, will be the fittest person to take the direction of the expedition, and Colonel Freeman as an assistant, and successor, in case of accident, to the principal. Still, these propositions are submitted to your control, as being better acquainted with both characters. I write to Governor Claiborne, to endeavor to get a passport from the Marquis of Casa-Calvo, for our party, as a protection from any Spaniards who may be fallen in with on the route. We offer to receive one or two persons, to be named by him, and subsisted by us into the party, as a proof that the expedition is merely scientific, and without any views to which Spain could take exception. The best protection against the Indians will be the authority to confer with them on the subject of commerce. Such conferences should be particularly held with the Arkansas and Panis, residing on the Red river, and everything possible be done to attach them to us affectionately. In the present state of things between Spain and us, we should spare nothing to secure the friendship of the Indians within reach of her. While Captain Lewis' mission was preparing, as it was understood that his reliance for his longitudes must be on the lunar observations taken, as at sea, with the aid of a time-keeper, and I knew that a thousand accidents might happen to that in such a journey as his, and thus deprive us of the principal object

of the expedition, to wit, the ascertaining the geography of that river, I set myself to consider whether in making observations at land, that furnishes no resource which may dispense with the time-keeper, so necessary at sea. It occcurred to me that as we can always have a meridian at land, that would furnish what we want of it at sea obliges us to supply by the time-keeper. Supposing Captain Lewis then furnished with a meridian, and having the requisite tables and nautical almanac with him,—first, he might find the right ascension of the moon, when on the meridian of Greenwich, on any given day; then find by observation when the moon should attain that right ascension (by the aid of a known star), and measure her distance in that moment from his meridian. This distance would be the difference of longitude between Greenwich and the place of observation. Or secondly, observe the moon's passage over his meridian, and her right ascension at that moment. See by the tables the time at Greenwich when she had that right ascension. That gives her distance from the meridian of Greenwich, when she was on his meridian. Or thirdly, observe the moon's distance from his meridian at any moment, and her right ascension at that moment; and find from the tables her distance from the meridian of Greenwich, when she had that right ascension, which will give the distance of the two meridians. This last process will be simplified by taking, for the moment of observation, that of an appulse of the

moon and a known star, or when the moon and a known star are in the same vertical. I suggested this to Mr. Briggs, who considered it as correct and practicable, and proposed communicating it to the Philosophical Society; but I observed that it was too obvious not to have been thought of before, and supposed it had not been adopted in practice, because of no use at sea, where a meridian cannot be had, and where alone the nations of Europe had occasion for it. Before his confirmation of the idea, however, Captain Lewis was gone. In conversation afterwards with Baron Humboldt, he observed that the idea was correct, but not new; that I would find it in the third volume of Delalande. I received two days ago the third and fourth volumes of Montucla's History of Mathematics, finished and edited by Delalande; and find, in fact, that Morin and Vanlangren, in the seventeenth century, proposed observations of the moon on the meridian, but it does not appear whether they meant to dispense with the timekeeper. But a meridian at sea being too impracticable, their idea was not pursued. The purpose of troubling you with these details, is to submit to your consideration and decision whether any use can be made of them advantageously in our future expeditions, and particularly that up the Red river.

Your letter on the current of the Mississippi, and paper on the same subject, corrected at once my doubts on your theory of the currents of that river. Constant employment in a very different line permits

me to turn to philosophical subjects only when some circumstance forces them on my attention. No occurrence had called my mind to this subject, particularly since I had first been initiated into the original Torricellian doctrine of the velocities at different depths, being in the sub-duplicate ratio of the depths. And though Buat had given me his book while at Paris, your letter was the first occasion of my turning to it, and getting my mind set to rights to a certain degree. There is a subsequent work by Bernard, which is said to have furnished corrections and additions to Buat; but I have never seen it.

The work we are now doing is, I trust, done for posterity, in such a way that they need not repeat it. For this we are much indebted to you, not only for the labor and time you have devoted to it, but for the excellent method of which you have set the example, and which I hope will be the model to be followed by others. We shall delineate with correctness the great arteries of this great country. Those who come after us will extend the ramifications as they become acquainted with them, and fill up the canvas we begin. With my acknowledgments for your zealous aid in this business, accept my friendly salutations, and assurances of great esteem and respect.

TO DOCTOR JOHN SIBLEY.

WASHINGTON, May 27, 1805.

DEAR SIR,—I have been some time a debtor for your letters of March 20th and September 2d, of the last year. A constant pressure of things which will not admit delay, prevents my acknowledging with punctuality the letters I receive, although I am not insensible to the value of the communications, and the favor done me in making them. To these acknowledgments I propose to add a solicitation of a literary kind, to which I am led by your position, favorable to this object, and by a persuasion that you are disposed to make to science those contributions which are within your convenience. The question whether the Indians of America have emigrated from another continent, is still undecided. Their vague and imperfect traditions can satisfy no mind on that subject. I have long considered their languages as the only remaining monument of connection with other nations, or the want of it, to which we can now have access. They will likewise show their connections with one another. Very early in life, therefore, I formed a vocabulary of such objects as, being present everywhere, would probably have a name in every language; and my course of life having given me opportunities of obtaining vocabularies of many Indian tribes, I have done so on my original plan, which though far from being perfect, has the valuable advantage of identity, of thus bring-

ing the languages to the same points of comparison. A letter from you to General Dearborn, giving valuable information respecting the Indians west of the Mississippi and south of the Arkansas, presents a much longer list of tribes than I had expected; and the relations in which you stand with them, and the means of intercourse these will furnish, induce me to hope you will avail us of your means of collecting their languages for this purpose. I enclose you a number of my blank vocabularies, to lessen your trouble as much as I can. I observe you mention several tribes which, having an original language of their own, nevertheless have adopted some other, common to other tribes. But it is their original languages I wish to obtain. I am in hopes you will find persons situated among or near most of the tribes, who will take the trouble of filling up a vocabulary. No matter whether the orthography used be English, Spanish, French, or any other, provided it is stated what the orthography is. To save unnecessary trouble, I should observe that I already possess the vocabularies of the Attacapas and Chetimachas, and no others within the limits before mentioned. I have taken measures for obtaining those north of the Arcansa, and already possess most of the languages on this side the Mississippi. A similar work, but on a much greater scale, has been executed under the auspices of the late empress of Russia, as to the red nations of Asia, which, however, I have never seen. A comparison of our collection with that will prob-

ably decide the question of the sameness or difference of origin, although it will not decide which is the mother country, and which the colony. You will receive from General Dearborn some important instructions with respect to the Indians. Nothing must be spared to convince them of the justice and liberality we are determined to use towards them, and to attach them to us indissolubly. Accept my apologies for the trouble I am giving you, with my salutations and assurances of respect.

TO THOMAS PAINE.

WASHINGTON, June 5, 1805.

DEAR SIR,—Your letters, Nos. 1, 2, 3, the last of them dated April the 20th, were received April the 26th. I congratulate you on your retirement to your farm, and still more that it is of a character so worthy of your attention. I much doubt whether the open room on your second story will answer your expectations. There will be a few days in the year in which it will be delightful, but not many. Nothing but trees, or Venetian blinds, can protect it from the sun. The semi-cylindrical roof you propose will have advantages. You know it has been practised on the cloth market at Paris. De Lorme, the inventor, shows many forms of roofs in his book to which it is applicable. I have used it at home for a dome, being one hundred and twenty degrees of an oblong octagon, and in the capitol we unite two

quadrants of a sphere by a semi-cylinder; all framed in De Lorme's manner. How has your planing machine answered? Has it been tried and persevered in by any workmen?

France has become so jealous of our conduct as to St. Domingo (which in truth is only the conduct of our merchants), that the offer to become a mediator would only confirm her suspicions. Bonaparte, however, expressed satisfaction at the paragraph in my message to Congress on the subject of that commerce. With respect to the German redemptioners, you know I can do nothing unless authorized by law. It would be made a question in Congress, whether any of the enumerated objects to which the Constitution authorizes the money of the Union to be applied, would cover an expenditure for importing settlers to Orleans. The letter of the revolutionary sergeant was attended to by General Dearborn, who wrote to him informing him how to proceed to obtain his land.

Doctor Eustis' observation to you, that "certain paragraphs in the National Intelligencer" respecting my letter to you, "supposed to be under Mr. Jefferson's direction, had embarrassed Mr. Jefferson's friends in Massachusetts; that they appeared like a half denial of the letter, or as if there was something in it not proper to be owned, or that needed an apology," is one of those mysterious half confidences difficult to be understood. That tory printers should think it advantageous to identify me with

that paper, the Aurora, etc., in order to obtain ground for abusing me, is perhaps fair warfare. But that any one who knows me personally should listen one moment to such an insinuation, is what I did not expect. I neither have, nor ever had, any more connection with those papers than our antipodes have; nor know what is to be in them until I see it in them, except proclamations and other documents sent for publication. The friends in Massachusetts who could be embarrassed by so weak a weapon as this, must be feeble friends indeed. With respect to the letter, I never hesitated to avow and to justify it in conversation. In no other way do I trouble myself to contradict anything which is said. At that time, however, there were certain anomalies in the motions of some of our friends, which events have at length reduced to regularity.

It seems very difficult to find out what turns things are to take in Europe. I suppose it depends on Austria, which, knowing it is to stand in the way of receiving the first hard blows, is cautious of entering into a coalition. As to France and England we can have but one wish, that they may disable one another from injuring others.

Accept my friendly salutations, and assurances of esteem and respect.

TO JAMES MADISON.

MONTICELLO, August 7, 1805.

DEAR SIR,—On a view of our affairs with Spain, presented me in a letter from C. Pinckney, I wrote you on the 23d of July, that I thought we should offer them the *status quo*, but immediately proposed provincial alliance with England. I have not yet received the whole correspondence. But the portion of the papers now enclosed to you, confirm me in the opinion of the expediency of a treaty with England, but make the offer of the *status quo* more doubtful. The correspondence will probably throw light on that question; from the papers already received I infer a confident reliance on the part of Spain on the omnipotence of Bonaparte, but a desire of procrastination till peace in Europe shall leave us without an ally. General Dearborn has seen all the papers. I will ask the favor of you to communicate them to Mr. Gallatin and Mr. Smith. From Mr. Gallatin I shall ask his first opinion, preparatory to the stating formal questions for our ultimate decision. I am in hopes you can make it convenient to see and consult with Mr. Smith and General Dearborn, unless the latter should come on here where I can do it myself. On the receipt of your own ideas, Mr. Smith's and the other gentlemen, I shall be able to form points for our final consideration and determination.

I enclose you some communications from the Mediterranean. They show Barron's understanding in a

very favorable view. When you shall have perused them, be so good as to enclose them to the Secretary of the Navy. Accept my fervent wishes for the speedy recovery of Mrs. Madison, and your speedy visit to this quarter.

TO JAMES MADISON.

MONTICELLO, August 25, 1805.

DEAR SIR,—I confess that the enclosed letter from General Turreau excites in me both jealousy and offence in undertaking, and without apology, to say in what manner to receive and treat Moreau within our own country. Had Turreau been here longer he would have known that the national authority pays honors to no foreigners. That the State authorities, municipalities and individuals, are free to render whatever they please, voluntarily, and free from restraint by us; and he ought to know that no part of the criminal sentence of another country can have any effect here. The style of that government in the Spanish business, was calculated to excite indignation; but it was a case in which that might have done injury. But the present is a case which would justify some notice in order to let them understand we are not of those powers who will receive and execute mandates. I think the answer should show independence as well as friendship. I am anxious to receive the opinions of our brethren after their review and consideration of the Spanish papers. I am

strongly impressed with a belief of hostile and treacherous intentions against us on the part of France, and that we should lose no time in securing something more than a mutual friendship with England.

Not having heard from you for some posts, I have had a hope you were on the road, and consequently that Mrs. Madison was re-established. We are now in want of rain, having had none in the last ten days. In your quarter I am afraid they have been much longer without it. We hear great complaints from F. Walker's, Lindsay's, Maury's, etc., of drought. Accept affectionate salutations, and assurances of constant friendship.

P. S. I suppose Kuhn, at Genoa, should have new credentials.

TO THE SECRETARY OF STATE.
(JAMES MADISON.)

MONTICELLO, August 27, 1805.

DEAR SIR,—Yours of the 20th has been received, and in that a letter from Casinore, and another from Mrs. Ciracchi; but those from Turreau and to Upryo were not enclosed. Probably the former was what came to me by the preceding post, respecting Moreau; if so, you have my opinion on it in my last. Considering the character of Bonaparte, I think it material at once to let him see that we are not of the powers who will receive his orders.

I think you have misconceived the nature of the treaty I thought we should propose to England. I have no idea of committing ourselves immediately or independently of our further will to the war. The treaty should be provisional only, to come into force on the event of our being engaged in war with either France or Spain during the present war in Europe. In that event we should make common cause, and England should stipulate not to make peace without our obtaining the objects for which we go to war, to wit, the acknowledgment by Spain of the rightful boundaries of Louisiana (which we should reduce to our minimum by a secret article) and 2, indemnification for spoliations, for which purpose we should be allowed to make reprisal on the Floridas and *retain them* as an indemnification. Our co-operation in the war (if we should actually enter into it) would be sufficient consideration for Great Britain to engage for its object; and it being generally known to France and Spain that we had entered into treaty with England, would probably ensure us a peaceable and immediate settlement of both points. But another motive much more powerful would indubitably induce England to go much further. Whatever ill-humor may at times have been expressed against us by individuals of that country, the first wish of every Englishman's heart is to see us once more fighting by their sides against France; nor could the King or his ministers do an act so popular as to enter into an alliance with us. The nation would not

weigh the consideration by grains and scruples. They would consider it as the price and pledge of an indissoluble friendship. I think it possible that for such a provisional treaty their general guarantee of Louisiana and the Floridas. At any rate we might try them. A failure would not make our situation worse. If such a one could be obtained we might await our own convenience for calling up the *casus fœderis*. I think it important that England should receive an overture as early as possible, as it might prevent her listening to terms of peace. If I recollect rightly, we had instructed Moreau, when he went to Paris, to settle the deposit; if he failed in that object to propose a treaty to England immediately. We could not be more engaged to secure the deposit then than we are the country now, after paying fifteen millions for it. I do expect, therefore, that, considering the present state of things as analogous to that, and virtually within his instructions, he will very likely make the proposition to England. I write my thoughts freely, wishing the same from the other gentlemen, that seeing and considering the ground of each other's opinions we may come as soon as possible to a result. I propose to be in Washington by the 2d of October. By that time I hope we shall be ripe for some conclusion.

I have desired Mr. Barnes to pay my quota of expenses relating to the Marseilles cargo, whatever you will be so good as to notify him that it is. I wish I could have heard that Mrs. Madison's course of

recovery were more speedy. I now fear we shall not see you but in Washington. Accept for her and yourself my affectionate salutations, and assurances of constant esteem and respect.

TO JAMES MADISON.

MONTICELLO, September 16, 1805.

DEAR SIR,—The enclosed letter from General Armstrong furnishes matter for consideration. You know the French considered themselves entitled to the Rio Bravo, and that Laussal declared his orders to be to receive possession to that limit, but not to Perdido; and that France has to us been always silent as to the western boundary, while she spoke decisively as to the eastern. You know Turreau agreed with us that neither party should strengthen themselves in the disputed country during negotiation; and Armstrong, who says Monroe concurs with him, is of opinion, from the character of the Emperor, that were we to restrict ourselves to taking the posts on the west side of the Mississippi, and threaten a cessation of intercourse with Spain, Bonaparte would interpose efficiently to prevent the quarrel from going further. Add to these things the fact that Spain has sent five hundred colonists to St. Antonio, and one hundred troops to Nacogdoches, and probably has fixed or prepared a post at the Bay of St. Bernard, at Matagordo. Supposing, then, a previous alliance with England to guard us in the worst

event, I should propose that Congress should pass acts, 1, authorizing the executive to suspend intercourse with Spain at discretion; 2, to dislodge the new establishments of Spain between the Mississippi and Bravo; and 3, to appoint commissioners to examine and ascertain all claims for spoliation that they might be preserved for future indemnification. I commit these ideas merely for consideration, and that the subject may be matured by the time of our meeting at Washington, where I shall be myself on the 2d of October. I have for some time feared I should not have the pleasure of seeing you either in Albemarle or Orange, from a general observation of the slowness of surgical cases. However, should Mrs. Madison be well enough for you to come to Orange, I will call on you on my way to Washington, if I can learn you are at home. General Dearborn is here. His motions depend on the stage. Accept for Mrs. Madison and yourself affectionate salutations.

P. S. I am afraid Bowdoin's journey to England will furnish a ground for Pinckney's remaining at Madrid. I think he should be instructed to leave it immediately, and Bowdoin might as well, perhaps, delay going there till circumstances render it more necessary.

TO ALBERT GALLATIN.

WASHINGTON, October 18, 1805.

DEAR SIR,—I had detained the letter of Mr. Merry on Foster's claims of freedom from importing duties, in expectation that Mr. Madison's return would enable him, you and myself, to confer on it. If the case presses, I will express my opinion on it. Every person diplomatic *in his own right*, is entitled to the privileges of the law of nations, in his own right. Among these is the receipt of all packages unopened and unexamined by the country which receives him. The usage of nations has established that this shall liberate whatever is imported *bona fide* for his own use, from paying any duty. A government may control the number of diplomatic characters it will receive; but if it receives them it cannot control their rights while *bona fide* exercised. Thus Dr. Franklin, Mr. Adams, Colonel Humphreys, and myself, all residing at Paris at the same time, had all of us our importation duty free. Great Britain had an ambassador and a minister plenipotentiary there, and an ambassador extra for several years; all three had their entries free. In most countries this privilege is permanent. Great Britain is niggardly, and allows it only on the first arrival. But in this as she treats us only as *she does* the most favored nations, so we should treat her as *we do* the most favored nations. If these principles are right, Mr. Foster is duty free. If you concur, let it be so

settled. If you think differently, let it lie for Madison's opinion. Colonel Monroe, in a letter of May, from Madrid, expressed impatience to get back to London that he might get to America before the equinox. It was the first I had heard of his having any thought of coming here, and though equivocally expressed, I thought he meant only a visit. In subsequent letters from Paris and London, down to August 16, he says nothing of coming; on the contrary, he has re-opened a particular negotiation. The motives which led him to wish to arrive before the equinox would prevent his venturing between the equinox and winter. I think, therefore, he has no fixed idea of coming away. Accept affectionate salutations.

TO DOCTORS ROGERS AND SLAUGHTER.

WASHINGTON, March 2, 1806.

GENTLEMEN,—I have received the favor of your letter of February the 2d, and read with thankfulness its obliging expressions respecting myself. I regret that the object of a letter from persons whom I so much esteem, and patronized by so many other respectable names, should be beyond the law which a mature consideration of circumstances has prescribed for my conduct. I deem it the duty of every man to devote a certain portion of his income for charitable purposes; and that it is his further duty to see it so applied as to do the most good of which

it is capable. This I believe to be best insured, by keeping within the circle of his own inquiry and information the subjects of distress to whose relief his contributions shall be applied. If this rule be reasonable in private life, it becomes so necessary in my situation, that to relinquish it would leave me without rule or compass. The applications of this kind from different parts of our own, and from foreign countries, are far beyond any resources within my command. The mission of Serampore, in the East Indies, the object of the present application, is but one of many items. However disposed the mind may feel to unlimited good, our means having limits, we are necessarily circumscribed by them. They are too narrow to relieve even the distresses under my own eye; and to desert these for others which we neither see nor know, is to omit doing a certain good for one which is uncertain. I know, indeed, there have been splendid associations for effecting benevolent purposes in remote regions of the earth. But no experience of their effect has proved that more good would not have been done by the same means employed nearer home. In explaining, however, my own motives of action, I must not be understood as impeaching those of others. Their views are those of an expanded liberality. Mine may be too much restrained by the law of usefulness. But it is a law to me, and with minds like yours, will be felt as a justification. With this apology, I pray you to accept my salutations, and assurances of high esteem and respect.

TO WILLIAM DUANE.

WASHINGTON, March 22, 1806.

I thank you, my good Sir, cordially, for your letter of the 12th, which however I did not receive till the 20th. It is a proof of sincerity, which I value above all things; as, between those who practise it, falsehood and malice work their efforts in vain. There is an enemy somewhere endeavoring to sow discord among us. Instead of listening first, then doubting, and lastly believing anile tales handed round without an atom of evidence, if my friends will address themselves to me directly, as you have done, they shall be informed with frankness and thankfulness. There is not a truth on earth which I fear or would disguise. But secret slanders cannot be disarmed, because they are secret. Although you desire no answer, I shall give you one to those articles admitting a short answer, reserving those which require more explanation than the compass of a letter admits, to conversation on your arrival here. And as I write this for your personal satisfaction, I rely that my letter will, under no circumstances, be communicated to any mortal, because you well know how every syllable from me is distorted by the ingenuity of my political enemies.

In the first place, then, I have had less communication, directly or indirectly, with the republicans of the east, this session, than I ever had before. This has proceeded from accidental circumstances, not from design. And if there be any coolness between those

of the south and myself, it has not been from me towards them. Certainly there has been no other reserve than to avoid taking part in the divisions among our friends. That Mr. R. has openly attacked the administration is sufficiently known. We were not disposed to join in league with Britain, under any belief that she is fighting for the liberties of mankind, and to enter into war with Spain, and consequently France. The House of Representatives were in the same sentiment, when they rejected Mr. R.'s resolutions for raising a body of regular troops for the western service. We are for a peaceable accommodation with all those nations, if it can be effected honorably. This, perhaps, is not the only ground of his alienation; but which side retains its orthodoxy, the vote of eighty-seven to eleven republicans may satisfy you; but you will better satisfy yourself on coming here, where alone the true state of things can be known, and where you will see republicanism as solidly embodied on all essential points, as you ever saw it on any occasion.

That there is only one minister who is not opposed to me, is totally unfounded. There never was a more harmonious, a more cordial administration, nor ever a moment when it has been otherwise. And while differences of opinion have been always rare among us, I can affirm, that as to present matters, there was not a single paragraph in my message to Congress, or those supplementary to it, in which there was not a unanimity of concurrence in the members of the

unanimity of concurrence in the members of the administration. The fact is, that in ordinary affairs every head of a department consults me on those of his department, and where anything arises too difficult or important to be decided between us, the consultation becomes general.

That there is an ostensible Cabinet and a concealed one, a public profession and concealed counteraction, is false.

That I have denounced republicans by the epithet of Jacobins, and declared I would appoint none but those called moderates of both parties, and that I have avowed or entertain any predilection for those called the third party, or Quids, is in every tittle of it false.

That the expedition of Miranda was countenanced by me, is an absolute falsehood, let it have gone from whom it might; and I am satisfied it is equally so as to Mr. Madison. To know as much of it as we could was our duty, but not to encourage it.

Our situation is difficult; and whatever we do is liable to the criticisms of those who wish to represent it awry. If we recommend measures in a public message, it may be said that members are not sent here to obey the mandates of the President, or to register the edicts of a sovereign. If we express opinions in conversation, we have then our Charles Jenkinsons, and back-door counsellors. If we say nothing, "we have no opinions, no plans, no Cabinet." In truth it is the fable of the old man, his son and ass, over again.

These are short facts which may suffice to inspire you with caution, until you can come here and examine for yourself. No other information can give you a true insight into the state of things; but you will have no difficulty in understanding them when on the spot. In the meantime, accept my friendly salutations and cordial good wishes.

TO WILSON C. NICHOLAS.—(CONFIDENTIAL.)

WASHINGTON, March 24, 1806.

DEAR SIR,—A last effort at friendly settlement with Spain is proposed to be made at Paris, and under the auspices of France. For this purpose, General Armstrong and Mr. Bowdoin (both now at Paris) have been appointed joint commissioners; but such a cloud of dissatisfaction rests on General Armstrong in the minds of many persons, on account of a late occurrence stated in all the public papers, that we have in contemplation to add a third commissioner, in order to give the necessary measure of public confidence to the commission. Of these two gentlemen, one being of Massachusetts and one of New York, it is thought the third should be a southern man; and the rather, as the interests to be negotiated are almost entirely southern and western. This addition is not yet ultimately decided on; but I am inclined to believe it will be adopted. Under this expectation, and my wish that you may be willing to undertake it, I give you

the earliest possible intimation of it, that you may be preparing both your mind and your measures for the mission. The departure would be required to be very prompt; though the absence I think will not be long, Bonaparte not being in the practice of procrastination. This particular consideration will, I hope, reconcile the voyage to your affairs and your feelings. The allowance to an extra mission, is salary from the day of leaving home, and expenses to the place of destination, or in lieu of the latter, and to avoid settlements, a competent fixed sum may be given. For the return, a continuance of the salary for three months after fulfilment of the commission. Be so good as to make up your mind as quickly as possible, and to answer me as early as possible. Consider the measure as proposed provisionally only, and not to be communicated to any mortal until we see it proper.

Affectionate salutations.

TO WILSON C. NICHOLAS.

WASHINGTON, April 13, 1806.

DEAR SIR,—The situation of your affairs certainly furnishes good cause for your not acceding to my proposition of a special mission to Europe. My only hope had been, that they could have gone on one summer without you. An unjust hostility against General Armstrong will, I am afraid, show itself whenever any treaty made by him shall be

offered for ratification. I wished, therefore, to provide against this, by joining a person who would have united the confidence of the whole Senate. General Smith was so prominent in the opposition to Armstrong, that it would be impossible for them to act together. We conclude, therefore, to leave the matter with Armstrong and Bowdoin. Indeed, my dear Sir, I wish sincerely you were back in the Senate; and that you would take the necessary measures to get yourself there. Perhaps, as a preliminary, you should go to our legislature. Giles' absence has been a most serious misfortune. A majority of the Senate means well. But Tracy and Bayard are too dexterous for them, and have very much influenced their proceedings. Tracy has been of nearly every committee during the session, and for the most part the chairman, and of course drawer of the reports. Seven federalists voting always in phalanx, and joined by some discontented republicans, some oblique ones, some capricious, have so often made a majority, as to produce very serious embarrassment to the public operations; and very much do I dread the submitting to them, at the next session, any treaty which can be made with either England or Spain, when I consider that five joining the federalists, can defeat a friendly settlement of our affairs. The House of Representatives is as well disposed as I ever saw one. The defection of so prominent a leader, threw them into dismay and confusion for a moment; but

they soon rallied to their own principles, and let them go off with five or six followers only. One half of these are from Virginia. His late declaration of perpetual opposition to this administration, drew off a few others who at first had joined him, supposing his opposition occasional only, and not systematic. The alarm the House has had from this schism, has produced a rallying together and a harmony, which carelessness and security had begun to endanger. On the whole, this little trial of the firmness of our representatives in their principles, and that of the people also, which is declaring itself in support of their public functionaries, has added much to my confidence in the stability of our government; and to my conviction, that, should things go wrong at any time, the people will set them to rights by the peaceable exercise of their elective rights. To explain to you the character of this schism, its objects and combinations, can only be done in conversation; and must be deferred till I see you at Monticello, where I shall probably be about the 10th or 12th of May, to pass the rest of the month there. Congress has agreed to rise on Monday, the 21st.

Accept my affectionate salutations.

TO LEVETT HARRIS.

WASHINGTON, April 18, 1806.

SIR,—It is now some time since I received from you, through the house of Smith and Buchanan, at Baltimore, a bust of the Emperor Alexander, for which I have to return you my thanks. These are the more cordial, because of the value the bust derives from the great estimation in which its original is held by the world, and by none more than by myself. It will constitute one of the most valued ornaments of the retreat I am preparing for myself at my native home. Accept, at the same time, my acknowledgments for the elegant work of Atkinson and Walker on the customs of the Russians. I had laid it down as a law for my conduct while in office, and hitherto scrupulously observed, to accept of no present beyond a book, a pamphlet, or other curiosity of minor value; as well to avoid imputation on my motives of action, as to shut out a practice susceptible of such abuse. But my particular esteem for the character of the Emperor, places his image in my mind above the scope of law. I receive it, therefore, and shall cherish it with affection. It nourishes the contemplation of all the good placed in his power, and of his disposition to do it.

A little before Dr. Priestley's death, he informed me that he had received intimations, through a channel he confided in, that the Emperor entertained

a wish to know something of our Constitution. I have therefore selected the two best works we have on that subject, for which I pray you to ask a place in his library. They are too much in detail to occupy his time; but they will furnish materials for an abstract, to be made by others, on such a scale as may bring the matter within the compass of the time which his higher callings can yield to such an object.

At a very early period of my life, contemplating the history of the aboriginal inhabitants of America, I was led to believe that if there had ever been a relation between them and the men of color in Asia, traces of it would be found in their several languages. I have therefore availed myself of every opportunity which has offered, to obtain vocabularies of such tribes as have been within my reach, corresponding to a list then formed of about two hundred and fifty words. In this I have made such progress, that within a year or two more I think to give to the public what I then shall have acquired. I have lately seen a report of Mr. Volney's to the Celtic academy, on a work of Mr. Pallas, entitled "Vocabularies compares des langues de toute la terre;" with a list of one hundred and thirty words, to which the vocabulary is limited. I find that seventy-three of these words are common to that and to my vocabulary, and therefore will enable us, by a comparison of language, to make the inquiry so long desired, as to the probability of a common

origin between the people of color of the two continents. I have to ask the favor of you to procure me a copy of the above work of Pallas, to inform me of the cost, and permit me to pay it here to your use; for I presume you have some mercantile correspondent here, to whom a payment can be made for you. A want of knowledge what the book may cost, as well as of the means of making so small a remittance, obliges me to make this proposition, and to restrain it to the sole condition that I be permitted to reimburse it here.

I enclose you a letter for the Emperor, which be pleased to deliver or have delivered; it has some relation to a subject which the Secretary of State will explain to you.

Accept my salutations, and assurances of esteem and consideration.

TO THE EMPEROR OF RUSSIA.

WASHINGTON, April 19, 1806.

I owe an acknowledgment to your Imperial Majesty for the great satisfaction I have received from your letter of August the 20th, 1805, and embrace the opportunity it affords of giving expression to the sincere respect and veneration I entertain for your character. It will be among the latest and most soothing comforts of my life, to have seen advanced to the government of so extensive a portion of the earth, and at so early a period of his

life, a sovereign whose ruling passion is the advancement of the happiness and prosperity of his people; and not of his own people only, but who can extend his eye and his good will to a distant and infant nation, unoffending in its course, unambitious in its views.

The events of Europe come to us so late, and so suspiciously, that observations on them would certainly be stale, and possibly wide of their actual state. From their general aspect, however, I collect that your Majesty's interposition in them has been disinterested and generous, and having in view only the general good of the great European family. When you shall proceed to the pacification which is to re-establish peace and commerce, the same dispositions of mind will lead you to think of the general intercourse of nations, and to make that provision for its future maintenance which, in times past, it has so much needed. The northern nations of Europe, at the head of which your Majesty is distinguished, are habitually peaceable. The United States of America, like them, are attached to peace. We have then with them a common interest in the neutral rights. Every nation indeed, on the continent of Europe, belligerent as well as neutral, is interested in maintaining these rights, in liberalizing them progressively with the progress of science and refinement of morality, and in relieving them from restrictions which the extension of the arts has long since rendered unreasonable and vexatious.

Two personages in Europe, of which your Majesty is one, have it in their power, at the approaching pacification, to render eminent service to nations in general, by incorporating into the act of pacification, a correct definition of the rights of neutrals on the high seas. Such a definition, declared by all the powers lately or still belligerent, would give to those rights a precision and notoriety, and cover them with an authority, which would protect them in an important degree against future violation; and should any further sanction be necessary, that of an exclusion of the violating nation from commercial intercourse with all the others, would be preferred to war, as more analogous to the offence, more easy and likely to be executed with good faith. The essential articles of these rights, too, are so few and simple as easily to be defined.

Having taken no part in the past or existing troubles of Europe, we have no part to act in its pacification. But as principles may then be settled in which we have a deep interest, it is a great happiness for us that they are placed under the protection of an umpire, who, looking beyond the narrow bounds of an individual nation, will take under the cover of his equity the rights of the absent and unrepresented. It is only by a happy concurrence of good characters and good occasions, that a step can now and then be taken to advance the well-being of nations. If the present occasion be good, I am sure your Majesty's character will not be wanting

to avail the world of it. By monuments of such good offices, may your life become an epoch in the history of the condition of man; and may He who called it into being, for the good of the human family, give it length of days and success, and have it always in His holy keeping.

TO COLONEL JAMES MONROE.

WASHINGTON, May 4, 1806.

DEAR SIR,—I wrote you on the 16th of March by a common vessel, and then expected to have had, on the rising of Congress, an opportunity of peculiar confidence to you. Mr. Beckley then supposed he should take a flying trip to London, on private business. But I believe he does not find it convenient. He could have let you into the *arcana rerum*, which you have interests in knowing. Mr. Pinckney's pursuits having been confined to his peculiar line, he has only that general knowledge of what has passed here which the public possess. He has a just view of things so far as known to him. Our old friend, Mercer, broke off from us some time ago; at first professing to disdain joining the federalists, yet, from the habit of voting together, becoming soon identified with them. Without carrying over with him one single person, he is now in a state of as perfect obscurity as if his name had never been known. Mr. J. Randolph is in the same track, and will end in the same way. His course

has excited considerable alarm. Timid men consider it as a proof of the weakness of our government, and that it is to be rent into pieces by demagogues, and to end in anarchy. I survey the scene with a different eye, and draw a different augury from it. In a House of Representatives of a great mass of good sense, Mr. Randolph's popular eloquence gave him such advantages as to place him unrivalled as the leader of the House; and, although not conciliatory to those whom he led, principles of duty and patriotism induced many of them to swallow humiliations he subjected them to, and to vote as was right, as long as he kept the path of right himself. The sudden defection of such a man could not but produce a momentary astonishment, and even dismay; but for a moment only. The good sense of the House rallied around its principles, and without any leader pursued steadily the business of the session, did it well, and by a strength of vote which has never before been seen. Upon all trying questions, exclusive of the federalists, the minority of republicans voting with him has been from four to six or eight, against from ninety to one hundred; and although he yet treats the federalists with ineffable contempt, yet, having declared eternal opposition to this administration, and consequently associated with them in his votes, he will, like Mercer, end with them. The augury I draw from this is, that there is a steady, good sense in the Legislature, and in the body of the nation,

joined with good intentions, which will lead them to discern and to pursue the public good under all circumstances which can arise, and that no *ignis fatuus* will be able to lead them long astray. In the present case, the public sentiment, as far as declarations of it have yet come in, is, without a single exception, in firm adherence to the administration. One popular paper is endeavoring to maintain equivocal ground; approving the administration in all its proceedings, and Mr. Randolph in all those which have heretofore merited approbation, carefully avoiding to mention his late aberration. The ultimate view of this paper is friendly to you; and the editor, with more judgment than him who assumes to be at the head of your friends, sees that the ground of opposition to the administration is not that on which it would be advantageous to you to be planted. The great body of your friends are among the firmest adherents to the administration; and in their support of you, will suffer Mr. Randolph to have no communications with them. My former letter told you the line which both duty and inclination would lead me sacredly to pursue. But it is unfortunate for you to be embarrassed with such a *soi-disant* friend. You must not commit yourself to him. These views may assist you to understand such details as Mr. Pinckney will give you. If you are here at any time before the fall, it will be in time for any object you may have, and by that time the public

sentiment will be more decisively declared. I wish you were here at present, to take your choice of the two governments of Orleans and Louisiana, in either of which I could now place you; and I verily believe it would be to your advantage to be just that much withdrawn from the focus of the ensuing contest, until its event should be known. The one has a salary of five thousand dollars, the other of two thousand dollars; both with excellent hotels for the Governor. The latter at St. Louis, where there is good society, both French and American; a healthy climate, and the finest field in the United States for acquiring property. The former not unhealthy, if you begin a residence there in the month of November. The Mrs. Trists and their connections are established there. As I think you can within four months inform me what you say to this, I will keep things in their present state till the last day of August, for your answer.

The late change in the ministry I consider as insuring us a just settlement of our differences, and we ask no more. In Mr. Fox, personally, I have more confidence than in any man in England, and it is founded in what, through unquestionable channels, I have had opportunities of knowing of his honesty and his good sense. While he shall be in the administration, my reliance on that government will be solid. We had committed ourselves in a line of proceedings adapted to meet Mr. Pitt's policy and hostility, before we heard of his death, which self-

respect did not permit us to abandon afterwards; and the late unparalleled outrage on us at New York excited such sentiments in the public at large, as did not permit us to do less than has been done. It ought not to be viewed by the ministry as looking towards them at all, but merely as the consequences of the measures of their predecessors, which their nation has called on them to correct. I hope, therefore, they will come to just arrangements. No two countries upon earth have so many points of common interest and friendship; and their rulers must be great bunglers indeed, if, with such dispositions, they break them asunder. The only rivalry that can arise is on the ocean. England may, by petty larceny thwartings, check us on that element a little, but nothing she can do will retard us there one year's growth. We shall be supported there by other nations, and thrown into their scale to make a part of the great counterpoise to her navy. If, on the other hand, she is just to us, conciliatory, and encourages the sentiment of family feelings and conduct, it cannot fail to befriend the security of both. We have the seamen and materials for fifty ships of the line, and half that number of frigates; and were France to give us the money, and England the dispositions to equip them, they would give to England serious proofs of the stock from which they are sprung, and the school in which they have been taught; and added to the efforts of the

immensity of seacoast lately united under one power, would leave the state of the ocean no longer problematical. Were, on the other hand, England to give the money, and France the dispositions to place us on the sea in all our force, the whole world, out of the continent of Europe, might be our joint monopoly. We wish for neither of these scenes. We ask for peace and justice from all nations; and we will remain uprightly neutral in fact, though leaning in belief to the opinion that an English ascendancy on the ocean is safer for us than that of France. We begin to broach the idea that we consider the whole Gulf Stream as of our waters, in which hostilities and cruising are to be frowned on for the present, and prohibited so soon as either consent or force will permit us. We shall never permit another privateer to cruise within it, and shall forbid our harbors to national cruisers. This is essential for our tranquillity and commerce. Be so good as to have the enclosed letters delivered, to present me to your family, and be assured yourself of my unalterable friendship.

For fear of accidents, I shall not make the unnecessary addition of my name.

TO GENERAL SAMUEL SMITH

WASHINGTON, May 4, 1806.

DEAR SIR,—I received your favor covering some papers from General Wilkinson. I have repented

but of one appointment there, that of Lucas, whose temper I see overrules every good quality and every qualification he has. Not a single fact has appeared, which occasions me to doubt that I could have made a fitter appointment than General Wilkinson. One qualm of principle I acknowledge I do feel, I mean the union of the civil and military authority. You remember that when I came into office, while we were lodging together at Conrad's, he was pressed on me to be made Governor of the Mississippi territory; and that I refused it on that very principle. When, therefore, the House of Representatives took that ground, I was not insensible to its having some weight. But in the appointment to Louisiana, I did not think myself departing from my own principle, because I consider it not as a civil government, but merely a military station. The Legislature had sanctioned that idea by the establishment of the office of Commandant, in which were completely blended the civil and military powers. It seemed, therefore, that the Governor should be in suit with them. I observed, too, that the House of Representatives, on the very day they passed the stricture on this union of authorities, passed a bill making the Governor of Michigan commander of the regular troops which should at any time be within his government. However, on the subject of General Wilkinson nothing is in contemplation at this time. We shall see what turn things take at home and abroad in the course of

the summer. Monroe has had a second conversation with Mr. Fox, which gives me hopes that we shall have an amicable arrangement with that government. Accept my friendly salutations, and assurances of great esteem and respect.

TO THOMAS DIGGES.

July 1, 1806.

Thomas Jefferson salutes Mr. Digges with friendship and respect, and sends him the newspapers received last night. He is sorry that only the latter part of the particular publication which Mr. Digges wished to see, is in them. He will be happy to see Mr. Digges and his friends on the fourth of July, and to join in congratulations on the return of the day which divorced us from the follies and crimes of Europe, from a dollar in the pound at least of six hundred millions sterling, and from all the ruin of Mr. Pitt's administration. We, too, shall encounter follies; but if great, they will be short, if long, they will be light; and the vigor of our country will get the better of them. Mr. Pitt's follies have been great, long, and inflicted on a body emaciated with age, and exhausted by excesses beyond its power to bear.

TO BARNABAS BIDWELL.

WASHINGTON, July 5, 1806.

SIR,—Your favor of June the 21st has been duly received. We have not as yet heard from General Skinner on the subject of his office. Three persons are proposed on the most respectable recommendations, and under circumstances of such equality as renders it difficult to decide between them. But it shall be done impartially. I sincerely congratulate you on the triumph of republicanism in Massachusetts. The Hydra of federalism has now lost all its heads but two. Connecticut I think will soon follow Massachusetts. Delaware will probably remain what it ever has been a mere county of England, conquered indeed, and held under by force, but always disposed to counter-revolution. I speak of its majority only.

Our information from London continues to give us hopes of an accommodation there on both the points of "accustomed commerce and impressment." In this there must probably be some mutual concession, because we cannot expect to obtain everything and yield nothing. But I hope it will be such an one as may be accepted. The arrival of the Hornet in France is so recently known, that it will yet be some time before we learn our prospects there. Notwithstanding the efforts made here, and made professedly to assassinate that negotiation in embryo, if the good sense of Bonaparte should pre-

vail over his temper, the present state of things in Europe may induce him to require of Spain that she should do us justice at least. That he should require her to sell us East Florida, we have no right to insist; yet there are not wanting considerations which may induce him to wish a permanent foundation for peace laid between us. In this treaty, whatever it shall be, our old enemies the federalists, and their new friends, will find enough to carp at. This is a thing of course, and I should suspect error where they found no fault The buzzard feeds on carrion only. Their rallying point is "war with France and Spain, and alliance with Great Britain:" and everything is wrong with them which checks their new ardor to be fighting for the liberties of mankind; on the sea always excepted. There one nation is to monopolize all the liberties of the others.

I read with extreme regret, the expressions of an inclination on your part to retire from Congress. I will not say that this time, more than all others, calls for the service of every man; but I will say, there never was a time when the services of those who possess talents, integrity, firmness, and sound judgment, were more wanted in Congress. Some one of that description is particularly wanted to take the lead in the House of Representatives, to consider the business of the nation as his own business, to take it up as if he were singly charged with it, and carry it through. I do not mean that any gentleman, relinquishing his own judgment, should

implicitly support all the measures of the administration; but that, where he does not disapprove of them, he should not suffer them to go off in sleep, but bring them to the attention of the House, and give them a fair chance. Where he disapproves, he will of course leave them to be brought forward by those who concur in the sentiment. Shall I explain my idea by an example? The classification of the militia was communicated to General Varnum and yourself merely as a proposition, which, if you approved, it was trusted you would support. I knew, indeed, that General Varnum was opposed to anything which might break up the present organization of the militia: but when so modified as to avoid this, I thought he might, perhaps, be reconciled to it. As soon as I found it did not coincide with your sentiments, I could not wish you to support it; but using the same freedom of opinion, I procured it to be brought forward elsewhere. It failed there, also, and for a time, perhaps, may not prevail; but a militia can never be used for distant service on any other plan; and Bonaparte will conquer the world, if they do not learn his secret of composing armies of young men only, whose enthusiasm and health enable them to surmount all obstacles. When a gentleman, through zeal for the public service, undertakes to do the public business, we know that we shall hear the cant of backstairs' councillors. But we never heard this while the declaimer was himself a backstairs' man,

as he calls it, but in the confidence and views of the administration, as may more properly and respectfully be said. But if the members are to know nothing but what is important enough to be put into a public message, and indifferent enough to be made known to all the world; if the Executive is to keep all other information to himself, and the House to plunge on in the dark, it becomes a government of chance and not of design. The imputation was one of those artifices used to despoil an adversary of his most effectual arms; and men of mind will place themselves above a gabble of this order. The last session of Congress was indeed an uneasy one for a time; but as soon as the members penetrated into the views of those who were taking a new course, they rallied in as solid a phalanx as I have ever seen act together. Indeed I have never seen a House of better dispositions. * * * * * * Perhaps I am not entitled to speak with so much frankness; but it proceeds from no motive which has not a right to your forgiveness. Opportunities of candid explanation are so seldom afforded me, that I must not lose them when they occur.

The information I receive from your quarter agrees with that from the south; that the late schism has made not the smallest impression on the public, and that the seceders are obliged to give to it other grounds than those which we know to be the true ones. All we have to wish is, that at the ensuing session, every one may take the part openly

which he secretly befriends. I recollect nothing new and true, worthy communicating to you. As for what is not true, you will always find abundance in the newspapers. Among other things, are those perpetual alarms as to the Indians, for no one of which has there ever been the slightest ground. They are the suggestions of hostile traders, always wishing to embroil us with the Indians, to perpetuate their own extortionate commerce. I salute you with esteem and respect.

TO JAMES BOWDOIN.

WASHINGTON, July 10, 1806.

DEAR SIR,—I believe that when you left America the invention of the polygraph had not yet reached Boston. It is for copying with one pen while you write with the other, and without the least additional embarrassment or exertion to the writer. I think it the finest invention of the present age, and so much superior to the copying machine, that the latter will never be continued a day by any one who tries the polygraph. It was invented by a Mr. Hawkins, of Frankford, near Philadelphia, who is now in England, turning it to good account. Knowing that you are in the habit of writing much, I have flattered myself that I could add acceptably to your daily convenience by presenting you with one of these delightful machines. I have accordingly had one made, and to be certain of its perfec-

tion I have used it myself some weeks, and have the satisfaction to find it the best one I have ever tried; and in the course of two years' daily use of them, I have had opportunities of trying several. As a secretary, which copies for us what we write without the power of revealing it, I find it a most precious possession to a man in public business. I enclose directions for unpacking and using the machine when you receive it; but the machine itself must await a special and sure conveyance under the care of some person going to Paris. It is ready packed, and shall go by the first proper conveyance.

As we heard two or three weeks ago of the safe arrival of the Hornet at L'Orient, we are anxiously waiting to learn from you the first impressions on her mission. If you can succeed in procuring us Florida, and a good western boundary, it will fill the American mind with joy. It will secure to our fellow citizens one of the most ardent wishes, a long peace with Spain and France. For be assured, the object of war with them and alliance with England, which, at the last session of Congress, drew off from the republican band about half a dozen of its members, is universally reprobated by our *native* citizens from north to south, I have never seen the nation stand more firm to its principles, or rally so firmly to its constituted authorities, and in reprobation of the opposition to them. With England, I think we shall cut off the resource of impressing our sea-

men to fight her battles, and establish the inviolability of our flag in its commerce with her enemies. We shall thus become what we sincerely wish to be, honestly neutral, and truly useful to both belligerents. To the one, by keeping open market for the consumption of her manufactures, while they are excluded from all the other countries under the power of her enemy; to the other, by securing for her a safe carriage of all her productions, metropolitan or colonial, while her own means are restrained by her enemy, and may, therefore, be employed in other useful pursuits. We are certainly more useful friends to France and Spain as neutrals, than as allies. I hope they will be sensible of it, and by a wise removal of all grounds of future misunderstanding to another age, enable you to present us such an arrangement, as will insure to our fellow citizens long and permanent peace and friendship with them. With respect to our western boundary, your instructions will be your guide. I will only add, as a comment to them, that we are attached to the retaining of the Bay of St. Bernard, because it was the first establishment of the unfortunate La Salle, was the cradle of Louisiana, and more incontestably covered and conveyed to us by France, under that name, than any other spot in the country. This will be secured to us by taking for our western boundary the Guadaloupe, and from its head around the sources of all waters eastward of it, to the highlands embracing the waters running into the Mis-

sissippi. However, all these things I presume will be settled before you receive this; and I hope so settled as to give peace and satisfaction to us all.

Our crops of wheat are greater than have ever been known, and are now nearly secured. A caterpillar gave for awhile great alarm, but did little injury. Of tobacco, not half a crop has been planted for want of rain; and even this half, with cotton and Indian corn, has yet many chances to run.

This summer will place our harbors in a situation to maintain peace and order with them. The next, or certainly the one following that, will so provide them with gunboats and common batteries, as to be *hors d'insulte*. Although our prospect is peace, our policy and purpose is to provide for defence by all those means to which our resources are competent.

I salute you with friendship, and assure you of my high respect and consideration.

TO W. A. BURWELL.

MONTICELLO, September 17, 1806.

DEAR SIR,—Yours of August the 7th, from Liberty, never got to my hands till the 9th instant. About the same time I received the Enquirer, in which Decius was so judiciously answered. The writer of that paper observed, that the matter of Decius consisted, first of facts; secondly, of infer-

ences from these facts: that he was not well enough informed to affirm or deny his facts, and he therefore examines his inferences, and in a very masterly manner shows that even were his facts true, the reasonable inferences from them are very different from those drawn by Decius. But his facts are far from truth, and should be corrected. It happened that Mr. Madison and General Dearborn were here when I received your letter. I therefore, with them, took up Decius and read him deliberately; and our memories aided one another in correcting his bold and unauthorized assertions. I shall note the most material of them in the order of the paper.

1. It is grossly false that our ministers, as is said in a note, had proposed to surrender our claims to compensation for Spanish spoliations, or even for French. Their instructions were to make no treaty in which Spanish spoliations were not provided for; and although they were permitted to be silent as to French spoliations carried into Spanish ports, they were not expressly to abandon even them. 2. It is not true that our ministers, in agreeing to establish the Colorado as our western boundary, had been obliged to exceed the authority of their instructions. Although we considered our title good as far as the Rio Bravo, yet in proportion to what they could obtain east of the Mississippi, they were to relinquish to the westward, and successive sacrifices were marked out, of which even the Colorado was not the last. 3. It is not true that the

Louisiana treaty was antedated, lest Great Britain should consider our supplying her enemies with money as a breach of neutrality. After the very words of the treaty were finally agreed to, it took some time, perhaps some days, to make out all the copies in the very splendid manner of Bonaparte's treaties. Whether the 30th of April, 1803, the date expressed, was the day of the actual compact, or that on which it was signed, our memories do not enable us to say. If the former, then it is strictly conformable to the day of the compact; if the latter, then it was postdated, instead of being antedated. The motive assigned too, is as incorrect as the fact. It was so far from being thought, by any party, a breach of neutrality, that the British minister congratulated Mr. King on the acquisition, and declared that the King had learned it with great pleasure; and when Baring, the British banker, asked leave of the minister to purchase the debt and furnish the money to France, the minister declared to him, that so far from throwing obstacles in the way, if there were any difficulty in the payment of the money, it was the interest of Great Britain to aid it. 4. He speaks of a double set of opinions and principles; the one ostensible, to go on the journals and before the public, the other efficient, and the real motives to action. But where are these double opinions and principles? The executive informed the legislature of the wrongs of Spain, and that preparation should be made to

repel them, by force, if necessary. But as it might still be possible to negotiate a settlement, they asked such means as might enable them to meet the negotiation, whatever form it might take. The first part of this system was communicated publicly, the second, privately; but both were equally official, equally involved the responsibility of the executive, and were equally to go on the journals. 5. That the purchase of the Floridas was in direct opposition to the views of the executive, as expressed in the President's *official* communication. It was not in opposition even to the public part of the communication, which did not recommend war, but only to be prepared for it. It perfectly harmonized with the private part, which asked the means of negotiation in such terms as covered the purchase of Florida as evidently as it was proper to speak it out. He speaks of secret communications between the executive and members, of backstairs' influence, etc. But he never spoke of this while he and Mr. Nicholson enjoyed it most solely. But when he differed from the executive in a leading measure, and the executive, not submitting to him, expressed their sentiments to others, the very sentiments (to wit, the purchase of Florida) which he acknowledges they expressed to him, then he roars out upon backstairs' influence. 6. The committee, he says, forebore to recommend offensive measures. Is this true? Did not they recommend the raising —— regiments? Besides,

if it was proper for the committee to forbear recommending offensive measures, was it not proper for the executive and Legislature to exercise the same forbearance? 7. He says Monroe's letter had a most important bearing on our Spanish relations. Monroe's letter related, almost entirely, to our British relations. Of those with Spain he knew nothing particular since he left that country. Accordingly, in his letter he simply expressed an opinion on our affairs with Spain, of which he knew we had better information than he could possess. His opinion was no more than that of any other sensible man; and his letter was proper to be communicated with the English papers, and with them only. That the executive did not hold it up on account of any bearing on Spanish affairs, is evident from the fact that it was communicated when the Senate had not yet entered on the Spanish affairs, and had not yet received the papers relating to them from the other House. The moment the Representatives were ready to enter on the British affairs, Monroe's letter, which peculiarly related to them, and was *official* solely as to them, was communicated to both Houses, the Senate being then about entering on Spanish affairs.

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These, my dear Sir, are the principal facts worth correction. Make any use of them you think best, without letting your source of information be known. Can you send me some cones or seeds of the cucum-

ber tree? Accept affectionate salutations, and assurances of great esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, October 12, 1806.

DEAR SIR,—You witnessed in the earlier part of the administration, the malignant and long-continued efforts which the federalists exerted in their newspapers to produce misunderstanding between Mr. Madison and myself. These failed completely. A like attempt was afterwards made, through other channels, to effect a similar purpose between General Dearborn and myself, but with no more success. The machinations of the last session to put you at cross questions with us all, were so obvious as to be seen at the first glance of every eye. In order to destroy one member of the administration, the whole were to be set to loggerheads to destroy one another. I observe in the papers lately, new attempts to revive this stale artifice, and that they squint more directly towards you and myself. I cannot, therefore, be satisfied, till I declare to you explicitly, that my affections and confidence in you are nothing impaired, and that they cannot be impaired by means so unworthy the notice of candid and honorable minds. I make the declaration, that no doubts or jealousies, which often beget the facts they fear, may find a moment's harbor in either of our minds. I have so much reliance on

the superior good sense and candor of all those associated with me, as to be satisfied they will not suffer either friend or foe to sow tares among us. Our administration now drawing towards a close, I have a sublime pleasure in believing it will be distinguished as much by having placed itself above all the passions which could disturb its harmony, as by the great operations by which it will have advanced the well-being of the nation.

Accept my affectionate salutations, and assurances of my constant and unalterable respect and attachment.

TO GENERAL JAMES WILKINSON.

WASHINGTON, January 3, 1807.

DEAR SIR,—I had intended yesterday to recommend to General Dearborn the writing to you weekly by post, to convey information of our western affairs, so long as they are interesting, because it is possible, though not probable, you might sometimes get the information quicker this way than down the river, but the General received yesterday information of the death of his son in the East Indies, and of course cannot now attend to business. I therefore write you a hasty line for the present week, and send it in duplicates by the Athens and the Nashville routes.

The information in the enclosed paper, as to proceedings in the State of Ohio, is correct. Blenner-

hasset's flotilla of fifteen boats and two hundred barrels of provisions, is seized, and there can be no doubt that Tyler's flotilla is also taken, because, on the 17th of December, we know there was a sufficient force assembled at Cincinnati to intercept it there, and another party was in pursuit of it on the river above. We are assured that these two flotillas composed the whole of the boats, provided Blennerhasset and Tyler had fled down the river. I do not believe that the number of persons engaged for Burr has ever amounted to five hundred, though some have carried them to one thousand or fifteen hundred. A part of these were engaged as settlers of Bastrop's land, but the greater part of these were engaged under the express assurance that the projected enterprise was against Mexico, and secretly authorized by this government. Many were expressly enlisted in the name of the United States. The proclamation which reached Pittsburg, December 2d, and the other parts of the river successively, undeceived both these classes, and of course drew them off, and I have never seen any proof of their having assembled more than forty men in two boats from Beaver, fifty in Tyler's flotilla, and the boatmen of Blennerhasset's. I believe therefore, that the enterprise may be considered as crushed, but we are not to relax in our attentions until we hear what has passed at Louisville. If everything from that place upwards be successfully arrested, there is nothing from below that is to be feared. Be assured

that Tennessee, and particularly General Jackson, are faithful. The orders lodged at Massac and the Chickasaw bluffs, will probably secure the interception of such fugitives from justice as may escape from Louisville, so that I think you will never see one of them. Still I would not wish, till we hear from Louisville, that you should relax your preparations in the least, except so far as to dispense with the militia of Mississippi and Orleans leaving their homes under our order of November 25th. Only let them consider themselves under requisition, and be in a state of readiness should any force, too great for your regulars, escape down the river. You will have been sensible that those orders were given while we supposed you were on the Sabine, and the supposed crisis did not admit the formality of their being passed through you. We had considered Fort Adams as the place to make a stand, because it covered the mouth of the Red river. You have preferred New Orleans on the apprehension of a fleet from the West Indies. Be assured there is not any foundation for such an expectation, but the lying exaggerations of those traitors to impose on others and swell their pretended means. The very man whom they represented to you as gone to Jamaica, and to bring the fleet, has never been from home, and has regularly communicated to me everything which had passed between Burr and him. No such proposition was ever hazarded to him. France or Spain would not send a fleet

to take Vera Cruz; and though one of the expeditions now near arriving from England, is probably for Vera Cruz, and perhaps already there, yet the state of things between us renders it impossible they should countenance an enterprise unauthorized by us. Still I repeat that these grounds of security must not stop our proceedings or preparations until they are further confirmed. Go on, therefore, with your works for the defence of New Orleans, because they will always be useful, only looking to what should be permanent rather than means merely temporary. You may expect further information as we receive it, and though I expect it will be such as will place us at our ease, yet we must not place ourselves so until it be certain, but act on the possibility that the resources of our enemy may be greater and deeper than we are yet informed.

Your two confidential messengers delivered their charges safely. One arrived yesterday only with your letter of November 12th. The oral communications he made me are truly important. I beseech you to take the most special care of the two letters which he mentioned to me, the one in cypher, the other from another of the conspirators of high standing, and to send them to me by the first conveyance you can trust. It is necessary that all important testimony should be brought to one centre, in order that the guilty may be convicted, and the innocent left untroubled. Accept my friendly salutations, and assurances of great esteem and respect.

TO MR. GALLATIN.

January 4, 1807.

There is a vessel fitting out at New York, formerly called the Emperor, now the James, or the Brutus (accounts differ), to carry 22 guns and 150 men, and to be commanded by Blakely, who went out Lieutenant of the Leander. She is confidently believed to be destined for Burr at New Orleans. The collector should be put on his guard; he can get much information from the Mayor of New York on the subject. If Blakely went out really with Miranda as Lieutenant, he should be immediately arrested and put on his trial. Will you be so good as to take the necessary measures on this subject?

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TO ALBERT GALLATIN.

January 6, 1807.

Mr. Clarke left with me the papers I now send you, presenting the claim of the Corporation of New Orleans to all the lands between the city and the Bayou St. Jean, as a common. What is to be done? The subject is broader than these papers present. I presume this claim would be proper for an investigation and report by the commissioners. I believe it to be a plot against Lafayette. That there should be left a reasonable common for them we had directed; but they might as well claim to the ocean as to the Bayou St. Jean. I am certain there is in

some of Claiborne's letters information that they never had a right to a common, but under a kind of lease or permission for a term of years expired long since.

But I think we should go further, and direct the governor to report to us in detail all the lots and buildings owned by the public in New Orleans, stating the use they were applied to under the former government, and that for which they would be proper now; to be laid before Congress at their next session, for their determination. Indeed I am not certain but that Claiborne has made such a report to the Secretary at War. Affectionate salutations.

TO CHARLES CLAY.

WASHINGTON, January 11, 1807.

DEAR SIR—Yours of December 19th has been duly received, and I thank you for your friendly attention to the offer of lands adjoining me for sale. It is true that I have always wished to purchase a part of what was Murray's tract, which would straighten the lines of the Poplar Forest, but I really am not able to make a purchase. I had hoped to keep the expenses of my office within the limits of its salary, so as to apply my private income entirely to the improvement and enlargement of my estate; but I have not been able to do it.

Our affairs with Spain, after which you inquire, do not promise the result we wish. Not that war

will take place immediately, but they may go off without a settlement, and leave us in constant bickering about indemnification for spoliations, the navigation of the Mobile and the limits of Louisiana. Burr's enterprise is the most extraordinary since the days of Don Quixote. It is so extravagant that those who know his understanding, would not believe it if the proofs admitted doubt. He has meant to place himself on the throne of Montezuma, and extend his empire to the Alleghany, seizing on New Orleans as the instrument of compulsion for our western States. I think his undertaking effectually crippled by the activity of Ohio. Whether Kentucky will give him the *coup de grace* is doubtful; but if he is able to descend the river with any means, we are sufficiently prepared at New Orleans. I hope, however, Kentucky will do its duty, and finish the matter for the honor of popular government, and the discouragement of all arguments for standing armies. Accept my friendly salutations, and assurances of great esteem and respect.

TO JONATHAN WILLIAMS AND C. W. PEALE, JUDGES OF ELECTION FOR THE A. P. SOCIETY.

WASHINGTON, January 12, 1807.

GENTLEMEN,—I am again to return the tribute of my thanks for the continued proofs of favor from the American Philosophical Society; and I ever do it with sincere gratitude, sensible it is the effect of

their good will, and not of any services I have it in my power to render them. I pray you to convey to them these expressions of my dutiful acknowledgments, and to accept yourselves thanks for the favorable terms in which your letter of the 2d instant announces the suffrage of the Society.

I am happy at the same time to greet them on the safe return of a valuable member of our fraternity, from a journey of uncommon length and peril. He will ere long be with them, and present them with the additions he brings to our knowledge of the geography and natural history of our country, from the Mississippi to the Pacific.

Tendering them my humble respects, permit me to add for yourselves my friendly salutations, and assurances of high consideration.

TO ALBERT GALLATIN.

January 12, 1807.

I return you the letter of Mr. Gelston respecting the Brutus. From what I learn, she cannot be destined for the Mississippi, because she draws too much water to enter it. However, considering the difficulty Congress finds in enlarging the limits of our preventive powers, I think we should be cautious how we step across those limits ourselves. She is probably bound to St. Domingo. Could not Congress, while continuing that law, amend it so as to prevent the abuse actually practised? Affectionate salutations.

TO JOHN DICKINSON.

WASHINGTON, January 13, 1807.

MY DEAR AND ANCIENT FRIEND,—I have duly received your favor of the 1st instant, and am ever thankful for communications which may guide me in the duties which I wish to perform as well as I am able. It is but too true that great discontents exist in the territory of Orleans. Those of the French inhabitants have for their sources, 1, the prohibition of importing slaves. This may be partly removed by Congress permitting them to receive slaves from the other States, which, by dividing that evil, would lessen its danger; 2, the administration of justice in our forms, principles, and language, with all of which they are unacquainted, and are the more abhorrent, because of the enormous expense, greatly exaggerated by the corruption of bankrupt and greedy lawyers, who have gone there from the United States and engrossed the practice; 3, the call on them by the land commissioners to produce the titles of their lands. The object of this is really to record and secure their rights. But as many of them hold on rights so ancient that the title papers are lost, they expect the land is to be taken from them whenever they cannot produce a regular deduction of title in writing. In this they will be undeceived by the final result, which will evince to them a liberal disposition of the government towards them. Among the American inhabit-

ants it is the old division of federalists and republicans. The former are as hostile there as they are everywhere, and are the most numerous and wealthy. They have been long endeavoring to batter down the Governor, who has always been a firm republican. There were characters superior to him whom I wished to appoint, but they refused the office: I know no better man who would accept of it, and it would not be right to turn him out for one not better. But it is the second cause, above mentioned, which is deep-seated and permanent. The French members of the Legislature, being the majority in both Houses, lately passed an act declaring that the civil, or French laws, should be the laws of their land, and enumerated about fifty folio volumes, in Latin, as the depositories of these laws. The Governor negatived the act. One of the Houses thereupon passed a vote for self-dissolution of the Legislature as a useless body, which failed in the other House by a single vote only. They separated, however, and have disseminated all the discontent they could. I propose to the members of Congress in conversation, the enlisting thirty thousand volunteers, Americans by birth, to be carried at the public expense, and settled immediately on a bounty of one hundred and sixty acres of land each, on the west side of the Mississippi, on the condition of giving two years of military service, if that country should be attacked within seven years. The defence of the country would thus be placed on the spot, and the

additional number would entitle the territory to become a State, would make the majority American, and make it an American instead of a French State. This would not sweeten the pill to the French; but in making that acquisition we had some view to our own good as well as theirs, and I believe the greatest good of both will be promoted by whatever will amalgamate us together.

I have tired you, my friend, with a long letter. But your tedium will end in a few lines more. Mine has yet two years to endure. I am tired of an office where I can do no more good than many others, who would be glad to be employed in it. To myself, personally, it brings nothing but unceasing drudgery and daily loss of friends. Every office becoming vacant, every appointment made, *me donne un ingrat, et cent ennemis.* My only consolation is in the belief that my fellow citizens at large give me credit for good intentions. I will certainly endeavor to merit the continuance of that good-will which follows well-intended actions, and their approbation will be the dearest reward I can carry into retirement.

God bless you, my excellent friend, and give you yet many healthy and happy years.

TO WILLIAM W. HENING.

WASHINGTON, January 14, 1807.

SIR,—Your letter of December 26th, was received in due time. The only object I had in making my collection of the laws of Virginia, was to save all those for the public which were not then already lost, in the hope that at some future day they might be republished. Whether this be by public or private enterprise, my end will be equally answered. The book divides itself into two very distinct parts; to wit, the printed and the unprinted laws. The former begin in 1682 (Pervis' collection). My collection of these is in strong volumes, well bound, and therefore may safely be transported anywhere. Any of these volumes which you do not possess, are at your service for the purpose of republication, but the unprinted laws are dispersed through many MS. volumes, several of them so decayed that the leaf can never be opened but once without falling into powder. These can never bear removal further than from their shelf to a table. They are, as well as I recollect, from 1622 downwards. I formerly made such a digest of their order, and the volumes where they are to be found, that, under my own superintendence, they could be copied with once handling. More they would not bear. Hence the impracticability of their being copied but at Monticello. But independent of them, the printed laws, beginning in

1682, with all our former printed collections, will be a most valuable publication, and sufficiently distinct. I shall have no doubt of the exactness of your part of the work, but I hope you will take measures for having the typography and paper worthy of the work. I am led to this caution by the scandalous volume of our laws printed by Pleasants in 1803, and those by Davis in 1796 were little better; both unworthy the history of Tom Thumb. You can have them better and cheaper printed anywhere north of Richmond. Accept my salutations, and assurances of respect.

TO DANIEL CLARKE, ESQ.

WASHINGTON, January 14, 1807.

SIR,—I have examined the papers you left with me on the claim to the common of New Orleans, and finding the subject to be within the cognizance of the Board of Commissioners for that territory, they will be immediately instructed to make full inquiry into the foundation of the claim, and to report it for the decision of Congress.

With respect to the lots and buildings in the city of New Orleans, held by the public, the Governor will be immediately instructed to report an exact list of them, stating the uses to which they were applied under the former government, and those for which he thinks them proper at present, which shall be laid before Congress at their next

session, the Legislature alone being competent to their final disposition.

I have lodged in the Treasury Office the papers you left with me; but if you wish their return, they will there be delivered to you. Accept my salutations and assurances of respect.

TO GENERAL JOHN SHEE.

WASHINGTON, January 14, 1807.

SIR,—Your letter of the 16th ult. was duly received, conveying a tender of the Philadelphia republican militia legion, of their voluntary services, against either foreign or domestic foes. The pressure of business, usual at this season, has prevented its earlier acknowledgment, and the return of my thanks, on the public behalf, for this example of patriotic spirit. Always a friend to peace, and believing it to promote eminently the happiness and prosperity of nations, I am ever unwilling that it should be disturbed, until greater and more important interests call for an appeal to force. Whenever that shall take place, I feel a perfect confidence that the energy and enterprise displayed by my fellow citizens in the pursuits of peace, will be equally eminent in those of war. The Legislature have now under consideration, in what manner, and to what extent, the executive may be permitted to accept the service of volunteers, should the public peace be disturbed, either from without or within.

In whatever way they shall give that authority, the legion may be assured that no unreasonable use shall be made of the proffer which their laudable zeal has prompted them to make. With my just acknowledgments to them, I pray you to accept personally the assurance of my high consideration and respect.

TO CAPTAIN CHARLES CHRISTIAN.

WASHINGTON, January 14, 1807.

SIR,—I have duly received your letter of December 24th, conveying a tender, by the officers, non-commissioned officers, and privates of the Saratoga Rangers, of their voluntary services to support the Constitution, laws, and integrity of our country, when the constitutional authorities shall declare it necessary, and I now, on the public behalf, return them thanks for this example of patriotic spirit. Always a friend to peace, and believing it to promote eminently the happiness and prosperity of mankind, I am ever unwilling that it should be disturbed until greater and more imperious interests call for an appeal to force. Whenever that shall take place, I feel a perfect confidence that the energy and enterprise displayed by my fellow citizens in the pursuits of peace, will be equally eminent in those of war. The Legislature have now under consideration, in what manner, and to what extent, the executive may be permitted to accept the service of

volunteers, should the public peace be disturbed either from without or within. In whatever way they shall give that authority, the Saratoga Rangers may be assured that no unreasonable use shall be made of the proffer which their laudable zeal has prompted them to make. With my acknowledgments to them, I pray you to accept personally the assurance of my high consideration and respect.

TO GOVERNOR CHARLES PINCKNEY.

WASHINGTON, January 20, 1807.

DEAR SIR,—I received two days ago a letter from General Wilkinson, dated at New Orleans, December 14th, in which he enclosed me an affidavit, of which I now transmit you a copy. You will perceive that it authenticates the copy of a letter from Colonel Burr to the General, affirming that Mr. Alston, his son-in-law, is engaged in the unlawful enterprises he is carrying on, and is to be an actor in them. I am to add, also, that I have received information from another source, that Mr. Alston, while returning from Kentucky last autumn through the upper part of your State, proposed to a Mr. Butler of that part of the country, to join in Colonel Burr's enterprise, which he represented as of a nature to make his fortune, and is understood to have been explained as against Mexico, as well as for separating the Union of these States. That Butler communicated this to a person, of the same

part of the country, called Span, who communicated it to a Mr. Horan, the clerk of a court in that quarter; that Butler and Span agreed to join in the enterprise, but Horan refused.

Nobody is a better judge than yourself whether any and what measures can be taken on this information. As to General Wilkinson's affidavit, it will be laid before the Legislature in a few days and, of course, will be public; but as to the other part, if no use can be made of it, your own discretion and candor would lead you to keep it secret. It is further well known here that Mr. Alston is an endorser to a considerable amount, of the bills which have enabled Colonel Burr to prepare his treasons. A message which I shall send into the Legislature two days hence, will give a development of them. I avail myself with pleasure of this opportunity of recalling myself to your recollection, and of assuring you of my constant esteem and high consideration.

TO ALBERT GALLATIN, SECRETARY OF THE TREASURY.

January 24, 1807.

Several French vessels of war, disabled from keeping the sea, by the storms which some time since took place on our coast, put into the harbors of the United States to avoid the danger of shipwreck. The Minister of their nation states that their crews are without resources for subsistence, and other

necessaries, for the reimbursement of which he offers bills on his government, the faith of which he pledges for their punctual payment.

The laws of humanity make it a duty for nations, as well as individuals, to succor those whom accident and distress have thrown upon them. By doing this in the present case, to the extent of mere *subsistence and necessaries*, and so as to aid no military equipment, we shall keep within the duties of rigorous neutrality, which never can be in opposition to those of humanity. We furnished, on a former occasion, to a distressed crew of the other belligerent party, similar accommodations, and we have ourselves received, from both those powers, friendly and free supplies to the necessities of our vessels of war in their Mediterranean ports. In fact, the governments of civilized nations generally are in the practice of exercising these offices of humanity towards each other. Our government having as yet made no regular provision for the exchange of these offices of courtesy and humanity between nations, the honor, the interest, and the duty of our country requires that we should adopt any other mode by which it may legally be done on the present occasion. It is expected that we shall want a large sum of money in Europe, for the purposes of the present negotiation with Spain, and besides this we want annually large sums there, for the discharge of our instalments of debt. Under these circumstances, supported by the unanimous opinion of the heads

of departments, given on the 15th of December, and again about the 10th instant, and firmly trusting that the government of France will feel itself peculiarly interested in the punctual discharge of the bills drawn by their Minister, for the sole subsistence of their people, I approve of the Secretary of the Treasury's taking the bills of the Minister of France, to an amount not exceeding sixty thousand dollars, which according to his own, as well as our estimate, will subsist his people until he will have had time to be furnished with funds from his own government.

TO ALBERT GALLATIN.

January 31, 1807.

Satisfied that New Orleans must fall a prey to any power which shall attack it, in spite of any means we now possess, I see no security for it but in planting on the spot the force which is to defend it. I therefore suggest to some members of the Senate to add to the volunteer bill now before them, as an amendment, some such section as that enclosed, which is on the principles of what we agreed on last year, except the omission of the two years' service. If, by giving one hundred miles square of that country, we can secure the rest, and at the same time create an American majority before Orleans becomes a State, it will be the best bargain ever made. As you are intimate with the details of the Land Office, I will thank you to make any amend-

ments to the enclosed in that part, or in any other which you may think needs it. Affectionate salutations.

TO JAMES MADISON.

Sunday, February 1, 1607.

The more I consider the letter of our minister in London, the more seriously it impresses me. I believe the *sine qua non* we made is that of the nation, and that they would rather go on without a treaty than with one which does not settle this article. Under this dilemma, and at this stage of the business, had we not better take the advice of the Senate? I ask a meeting at eleven o'clock to-morrow, to consult on this question.

TO GOVERNOR EDWARD TIFFIN.

WASHINGTON, February 2, 1807.

SIR,—The pressure of business during a session of the Legislature has rendered me more tardy in addressing you than it was my wish to have been. That our fellow citizens of the West would need only to be informed of criminal machinations against the public safety to crush them at once, I never entertained a doubt. I have seen with the greatest satisfaction that among those who have distinguished themselves by their fidelity to their country, on the occasion of the enterprise of Mr.

Burr, yourself and the Legislature of Ohio have been the most eminent. The promptitude and energy displayed by your State has been as honorable to itself as salutary to its sister States; and in declaring that you have deserved well of your country, I do but express the grateful sentiment of every faithful citizen in it. The hand of the people has given the mortal blow to a conspiracy which, in other countries, would have called for an appeal to armies, and has proved that government to be the strongest of which every man feels himself a part. It is a happy illustration, too, of the importance of preserving to the State authorities all that vigor which the Constitution foresaw would be necessary, not only for their own safety, but for that of the whole. In making these acknowledgments of the merit of having set this illustrious example of exertion for the common safety, I pray that they may be considered as addressed to yourself and the Legislature particularly, and generally to every citizen who has availed himself of the opportunity given of proving his devotion to his country. Accept my salutations, and assurances of great consideration and esteem.

TO GENERAL JAMES WILKINSON.

WASHINGTON, February 3, 1807.

SIR,—A returning express gives me an opportunity of acknowledging the receipt of your letters

of November 12th, December 9th, 10th, 14th, 18th, 25th, 26th, and January 2d. I wrote to you January 3d, and through Mr. Briggs, January 10th. The former being written while the Secretary at War was unable to attend to business, gave you the state of the information we then possessed as to Burr's conspiracy. I now enclose you a message, containing a complete history of it from the commencement down to the eve of his departure from Nashville; and two subsequent messages showed that he began his descent of the Mississippi January 1st, with ten boats, from eighty to one hundred men of his party, navigated by sixty oarsmen not at all of his party. This, I think, is fully the force with which he will be able to meet your gunboats; and as I think he was uninformed of your proceedings, and could not get the information till he would reach Natchez, I am in hopes that before this date he is in your possession. Although we at no time believed he could carry any formidable force out of the Ohio, yet we thought it safest that you should be prepared to receive him with all the force which could be assembled, and with that view our orders were given; and we were pleased to see that without waiting for them, you adopted nearly the same plan yourself, and acted on it with promptitude; the difference between yours and ours proceeding from your expecting an attack by sea, which we knew was impossible, either by England or by a fleet under Truxton, who was at home; or by our

own navy, which was under our own eye. Your belief that Burr would really descend with six or seven thousand men, was no doubt founded on what you knew of the numbers which could be raised in the Western country for an expedition to Mexico, *under the authority of the government;* but you probably did not calculate that the want of that authority would take from him every honest man, and leave him only the desperadoes of his party, which in no part of the United States can ever be a numerous body. In approving, therefore, as we do approve, of the defensive operations for New Orleans, we are obliged to estimate them, not according to our own view of the danger, but to place ourselves in your situation, and only with your information. Your sending here Swartwout and Bollman, and adding to them Burr, Blannerhasset, and Tyler, should they fall into your hands, will be supported by the public opinion. As to Alexander, who is arrived, and Ogden, expected, the evidence yet received will not be sufficient to commit them. I hope, however, you will not extend this deportation to persons against whom there is only suspicion, or shades of offence not strongly marked. In that case, I fear the public sentiment would desert you; because, seeing no danger here, violations of law are felt with strength. I have thought it just to give you these views of the sentiments and sensations here, as they may enlighten your path. I am thoroughly sensible of the painful

difficulties of your situation, expecting an attack from an overwhelming force, unversed in law, surrounded by suspected persons, and in a nation tender as to everything infringing liberty, and especially from the military. You have doubtless seen a good deal of malicious insinuation in the papers against you. This, of course, begot suspicion and distrust in those acquainted with the line of your conduct. We, who knew it, have not failed to strengthen the public confidence in you; and I can assure you that your conduct, as now known, has placed you on ground extremely favorable with the public. Burr and his emissaries found it convenient to sow a distrust in your mind of our dispositions towards you; but be assured that you will be cordially supported in the line of your duties. I pray you to send me D.'s original letter, communicated through Briggs, by the first entirely safe conveyance. Accept my friendly salutations, and assurances of esteem and respect.

TO GOVERNOR W. C. C. CLAIBORNE.

WASHINGTON, February 3, 1807.

DEAR SIR,—I pray you to read the enclosed letter, to seal and deliver it. It explains itself so fully, that I need say nothing. I am sincerely concerned for Mr. Reibelt, who is a man of excellent understanding and extensive science. If you had any academical berth, he would be much better

fitted for that than for the bustling business of life. I enclose to General Wilkinson my message of January 22d. I presume, however, you will have seen it in the papers. It gives the history of Burr's conspiracy, all but the last chapter, which will, I hope, be that of his capture before this time, at Natchez. Your situations have been difficult, and we judge of the merit of our agents there by the magnitude of the danger as it appeared to them, not as it was known to us. On great occasions every good officer must be ready to risk himself in going beyond the strict line of law, when the public preservation requires it; his motives will be a justification as far as there is any discretion in his ultra-legal proceedings, and no indulgence of private feelings. On the whole, this squall, by showing with what ease our government suppresses movements which in other countries requires armies, has greatly increased its strength by increasing the public confidence in it. It has been a wholesome lesson too to our citizens, of the necessary obedience to their government. The Feds, and the little band of Quids, in opposition, will try to make something of the infringement of liberty by the military arrest and deportation of citizens, but if it does not go beyond such offenders as Swartwout, Bollman, Burr, Blennerhasset, Tyler, etc., they will be supported by the public approbation. Accept my friendly salutations, and assurances of esteem and respect.

TO ROBERT SMITH.

February 6, 1807.

A resolution of the House of Representatives of yesterday, asks from me information as to the efficacy of the gunboat defence, what particular ports we propose to place them in, and how many in each. I will enumerate the particular ports, but instead of saying literally how many to each, on which there would be a thousand opinions, I will throw them into groups as below, and say how many to each group. Will you be so good as to state how many you would think necessary for each of the ports below mentioned, to give them such a degree of protection as you think would be sufficiently effectual in time of war? Also to strike out any of the ports here named, and insert others as you shall think best:

Mississippi river,	New York,
Lake Ponchartrain,	New London,
Savannah,	Newport,
Beaufort,	Boston,
Charleston,	Newburyport,
Cape Fear,	Portsmouth,
Ocracock,	Portland,
Chesapeake Bay and water	Kennebeck,
Delaware Bay,	Penobscot,

Passamaquoddy.

Send me also, if you please, copies of the opinions of certain officers on the effect of gunboats, which I believe, were formerly laid before a committee.

A similar note in substance was sent to General Dearborn.

TO ALBERT GALLATIN.

February 9, 1807.

I thank you for the case in the Siman Sea, which escaped my recollection. It was indeed a very favorable one. I have adopted your other amendments, except as to the not building *now;* my own opinion being very strongly against this for these reasons: 1st. The 127 gunboats cannot be built in one, two, or even six months. Commodore Preble told me he could build those he undertook, in two months. They were but four, and though he was preparing during the winter, was engaged in April, and pressed to expedite them, they were not ready for sea till November. 2d. After war commences they cannot be built in New York, Boston, Norfolk, or any seaport, because they would be destroyed by the enemy, on the stocks. They could then be built only in interior places, inaccessible to ships and defended by the body of the country, where the building would be slow. 3d. The first operation of war by an enterprising enemy would be to sweep all our seaports, of their vessels at least. 4th. The expense of their preservation would be all but

nothing, because I have had the opinion of, I believe, every captain of the navy, that the largest of our gunboats can be drawn up, out of the water, and placed under a shed with great ease, by preparing ways and capstans proper for it, and always ready to let her down again. Such of them as are built in suitable places may remain on the stocks unlaunched. 5th. Full the half of the whole number would be small, and not costing more than three-fifths of the large ones. Affectionate salutations.

TO THOMAS SEYMOUR, ESQ.

WASHINGTON, February 11, 1807.

SIR,—The mass of business which occurs during a session of the Legislature, renders me necessarily unpunctual in acknowledging the receipt of letters, and in answering those which will admit of delay. This must be my apology for being so late in noticing the receipt of the letter of December 20th, addressed to me by yourself, and several other republican characters of your State of high respectability. I have seen with deep concern the afflicting oppression under which the republican citizens of Connecticut suffer from an unjust majority. The truths expressed in your letter have been long exposed to the nation through the channel of the public papers, and are the more readily believed because most of the States during the momentary ascendancy of kindred majorities, in them have seen the same spirit of opposition prevail.

With respect to the countervailing prosecutions now instituted in the Court of the United States in Connecticut, I had heard but little, and certainly, I believe, never expressed a sentiment on them. That a spirit of indignation and retaliation should arise when an opportunity should present itself, was too much within the human constitution to excite either surprise or censure, and confined to an appeal to truth only, it cannot lessen the useful freedom of the press.

As to myself, conscious that there was not a *truth* on earth which I feared should be known, I have lent myself willingly as the subject of a great experiment, which was to prove that an administration, conducting itself with integrity and common understanding, cannot be battered down, even by the falsehoods of a licentious press, and consequently still less by the press, as restrained within the legal and wholesome limits of truth. This experiment was wanting for the world to demonstrate the falsehood of the pretext that freedom of the press is incompatible with orderly government. I have never therefore even contradicted the thousands of calumnies so industriously propagated against myself. But the fact being once established, that the press is impotent when it abandons itself to falsehood, I leave to others to restore it to its strength, by recalling it within the pale of truth. Within that it is a noble institution, equally the friend of science and of civil liberty. If this can

once be effected in your State, I trust we shall soon see its citizens rally to the republican principles of our Constitution, which unite their sister-States into one family. It would seem impossible that an intelligent people, with the faculty of reading and right of thinking, should continue much longer to slumber under the pupilage of an interested aristocracy of priests and lawyers, persuading them to distrust themselves, and to let them think for them. I sincerely wish that your efforts may awaken them from this voluntary degradation of mind, restore them to a due estimate of themselves and their fellow citizens, and a just abhorrence of the falsehoods and artifices which have seduced them. Experience of the use made by federalism of whatever comes from me, obliges me to suggest the caution of considering my letter as private. I pray you to present me respectfully to the other gentlemen who joined in the letter to me, and to whom this is equally addressed, and to accept yourself my salutations, and assurances of great esteem and consideration.

TO GENERAL HENRY DEARBORN.

February 14, 1807.

Thomas Jefferson salutes General Dearborn with friendship, and communicates the following information from Captain Lewis, which may be useful to Colonel Freeman, and our future explorers; and

indeed may enable us understandingly to do acceptable things to our Louisiana neighbors when we wish to gratify them.

He says the following are the articles in highest value with them:

1. *Blue* beads. This is a coarse cheap bead imported from China, and costing in England 13*d.* the pound, in strands. It is far more valued by the Indians than the *white* beads of the same manufacture, and answers all the purposes of money, being counted by the fathom. He says that were his journey to be performed again, one-half or two-thirds of his stores *in value* should be of these.

2. Common brass buttons, more valued than anything except beads.

3. Knives.

4. Battleaxes and tomahawks.

5. Saddlers' seat awls, which answer for moccasin awls.

6. Some glovers' needles.

7. Some iron combs.

8. Some nests of camp kettles; brass is much preferred to iron, though both are very useful to the Indians.

Arrow-points should have been added.

TO JOSEPH H. NICHOLSON.

WASHINGTON, February 20, 1807.

DEAR SIR,—I did not receive your letter of the 18th till this morning. I am as yet in possession

of no evidence against Adair, which could convict him. General Wilkinson writes me that he would send the evidence against him and Ogden by the officer bringing them, and that officer informed General Dearborn (from Baltimore) that he was in possession of a large packet from General Wilkinson to me, which he was ordered to deliver into my hands only; and, on that, he was ordered to come on with his prisoners, that they and the evidence against them might be delivered up to the court here. If the evidence, however, be found conclusive, they can be arrested again, if it shall be worth while. Their crimes are defeated, and whether they shall be punished or not belongs to another department, and is not the subject of even a wish on my part. Accept my friendly salutations, and assurances of great respect and esteem.

TO DR. CASPER WISTAR.

WASHINGTON, February 25, 1807.

DEAR SIR,—I enclose you a letter from Dr. Goforth on the subject of the bones of the mammoth. Immediately on the receipt of this, as I found it was in my power to accomplish the wishes of the society for the completion of this skeleton with more certainty than through the channel proposed in the letter, I set the thing into motion, so that it will be effected without any expense to the society, or other trouble than to indicate the particular bones

wanting. Being acquainted with Mr. Ross, proprietor of the big bone lick, I wrote to him for permission to search for such particular bones as the society might desire, and I expect to receive it in a few days. Captain Clarke (companion of Captain Lewis) who is now here, agrees, as he passes through that country, to stop at the Lick, employ laborers, and superintend the search at my expense, not that of the society, and to send me the specific bones wanted, without further trespassing on the deposit, about which Mr. Ross would be tender, and particularly where he apprehended that the person employed would wish to collect for himself. If, therefore, you will be so good as to send me a list of the bones wanting (the one you formerly sent me having been forwarded to Dr. Brown), the business shall be effected without encroaching at all on the funds of the society, and it will be particularly gratifying to me to have the opportunity of being of some use to them. But send me the list if you please without any delay, as Captain Clarke returns in a few days, and we should lose the opportunity. I send you a paper from Dr. Thornton for the society. Accept my friendly salutations, and assurances of great esteem and respect.

TO CHANDLER PRICE.

WASHINGTON, February 28, 1807.

SIR,—Your favor of the 24th was received this morning. The greatest favor which can be done

me is the communication of the opinions of judicious men, of men who do not suffer their judgments to be biassed by either interests or passions. Of this character, I know Mr. Morgan to be. I return you the original of the letter of January 15th, having copied it to a mark in the 4th page, which you will see. I retain, as I understand, with your permission, the copies of those of January 22d and 27th, because they are copies; and the original of December 31st, because it relates wholly to public matters. They shall be sacredly reserved to myself, and for my own information only. The fortification of New Orleans will be taken up on a sufficient footing; but the other part of Mr. Morgan's wish, an additional regular force, will not prevail. The spirit of this country is totally adverse to a large military force. I have tried for two sessions to prevail on the Legislature to let me plant thirty thousand well chosen volunteers on donation lands on the west side of the Mississippi, as a militia always at hand for the defence of New Orleans; but I have not yet succeeded. The opinion grows, and will perhaps ripen by the next session. A great security for that country is, that there is a moral certainty that neither France nor England would meddle with that country, while the present state of Europe continues, and Spain we fear not. Accept my salutations, and assurances of esteem and respect.

TO THE KING OF HOLLAND.

February 28, 1807.

GREAT AND GOOD FRIEND,—Having received your letter of September last, which notifies your accession to the throne of Holland, I tender you in behalf of the United States my congratulations on this event. Connected with that nation by the earliest ties of friendship, and maintaining with them uninterrupted relations of peace and commerce, no event which interests their welfare can be indifferent to us. It is therefore with great pleasure I receive the assurances of your Majesty that you will continue to cherish these ancient relations; and we shall, on our part, endeavor to strengthen your good will by a faithful observance of justice, and by all the good offices which occasion shall permit. Distant as we are from the powers of Europe, and devoted to pursuits which separate us from their affairs, we still look with brotherly concern on whatever affects those nations, and offer constant prayers for their welfare. With a friendly solicitude for your Majesty's person, I pray God, that He may always have you, great and good friend, in His holy keeping. Done, etc.

TO WILSON C. NICHOLAS.

WASHINGTON, February 28, 1807.

DEAR SIR,—Your letter of January the 20th was received in due time. But such has been the con-

stant pressure of business, that it has been out of my power to answer it. Indeed, the subjects of it would be almost beyond the extent of a letter, and as I hope to see you ere long at Monticello, it can then be more effectually done verbally. Let me observe, however, generally, that it is impossible for my friends ever to render me so acceptable a favor, as by communicating to me, without reserve, facts and opinions. I have none of that sort of self-love which winces at it; indeed, both self-love and the desire to do what is best, strongly invite unreserved communication. There is one subject which will not admit a delay till I see you. Mr. T. M. Randolph is, I believe, determined to retire from Congress, and it is strongly his wish, and that of all here, that you should take his place. Never did the calls of patriotism more loudly assail you than at this moment. After excepting the federalists, who will be twenty-seven, and the little band of schismatics, who will be three or four (all tongue), the residue of the House of Representatives is as well disposed a body of men as I ever saw collected. But there is no one whose talents and standing, taken together, have weight enough to give him the lead. The consequence is, that there is no one who will undertake to do the public business, and it remains undone. Were you here, the whole would rally round you in an instant, and willingly co-operate in whatever is for the public good. Nor would it require you to undertake drudgery in the

House. There are enough, able and willing, to do that. A rallying point is all that is wanting. Let me beseech you then to offer yourself. You never will have it so much in your power again to render such eminent service.

Accept my affectionate salutations and high esteem.

TO ALBERT GALLATIN.

March 7, 1807.

In the case of Mr. Bloodworth, our first duty is to save the public from loss; the second, to aid the securities in saving themselves. They have not asked a dismission, which would probably do them injury, but an examination. I should think it equally safe for the public, and better for the securities, to send them a dismission of the collector, to be used or not at their discretion. With this in their hand, they could compel him to convey his property as a security to them, and to receive deputies of their appointment, who should apply all the future emoluments of the collector, or a given part of them, towards making up the deficit. But in such case, faithful reports should be made to you from time to time, that you may see that this operation is honestly going on, and no new danger arising to the public. These ideas are submitted merely for your consideration, as I am ready to sign a dismission as above proposed, or make a

new appointment at once, whichever you think best. Affectionate salutations.

TO ROBERT BRENT, ESQ.

WASHINGTON, March 10, 1807.

SIR,—I have received your letter of yesterday, asking the application of a part of a late appropriation of Congress, to certain avenues and roads in this place.

The only appropriation ever before made by Congress to an object of this nature, was "to the public buildings and the highways *between* them." This ground was deliberately taken, and I accordingly restrained the application of the money to the avenue between the Capitol and the Executive buildings, and the roads round the two squares.

The last appropriation was in terms much more lax, to wit, "for avenues and roads in the District of Columbia." This, indeed, would take in a large field, but besides that we cannot suppose Congress intended to tax the people of the United States at large, for all the avenues in Washington and roads in Columbia; we know the fact to have been that the expression was strongly objected to, and was saved merely from a want of time to discuss, (the last day of the session,) and the fear of losing the whole bill. But the sum appropriated (three thousand dollars) shows they did not mean it for so large a field; for by the time the Pennsylvania avenue, between

the two houses, is widened, newly gravelled, planted, brick tunnels instead of wood, the roads round the squares put in order, and that in the south front of the war office dug down to its proper level, there will be no more of the three thousand dollars left than will be wanting for constant repairs. With this view of the just and probable intention of the Legislature, I shall not think myself authorized to take advantage of a lax expression, forced on by circumstances, to carry the execution of the law into a region of expense which would merit great consideration before they should embark in it. Accept my friendly salutations, and assurances of great esteem and respect.

TO ALBERT GALLATIN.

March 20, 1807.

I think with you it is better to leave the leasing the Salt Springs to Governor Harrison, who will do it according to general rules; and I am averse to giving contracts of any kind to members of the Legislature. On the subject of Latimer's letter, I gave him a general answer, that all indulgence permitted by the spirit of the law would be used. I am unable to give any particular opinion, because the law not having been printed yet, I cannot turn to it; but I am ready to approve any proposition you think best. Indeed, I have but a little moment in the morning in which I can either read, write,

or think; being obliged to be shut up in a dark room from early in the forenoon till night, with a periodical headache. Affectionate salutations.

TO THE GOVERNORS OF KENTUCKY, TENNESSEE, OHIO, AND MISSISSIPPI.

WASHINGTON, March 21, 1807.

SIR,—Although the present state of things on the western side of the Mississippi does not threaten any immediate collision with our neighbors in that quarter, and it is our wish they should remain undisturbed until an amicable adjustment may take place; yet as this does not depend on ourselves alone, it has been thought prudent to be prepared to meet any movements which may occur. The law of a former session of Congress, for keeping a body of 100,000 militia in readiness for service at a moment's warning, is still in force. But by an act of the last session, a copy of which I now enclose, the Executive is authorized to accept the services of such volunteers as shall offer themselves on the conditions of the act, which may render a resort to the former act unnecessary. It is for the execution of this act that I am now to solicit your zealous endeavors. The persons who shall engage will not be called from their homes until some aggression, committed or intended, shall render it necessary. When called into action, it will not be for a lounging, but for an active, and perhaps distant, service. I

know the effect of this consideration in kindling that ardor which prevails for this service, and I count on it for filling up the numbers requisite without delay. To yourself, I am sure, it must be as desirable as it is to me, to transfer this service from the great mass of our militia to that portion of them, to whose habits and enterprise active and distant service is most congenial. In using, therefore, your best exertions towards accomplishing the object of this act, you will render to your constituents, as well as to the nation, a most acceptable service.

With respect to the organizing and officering those who shall be engaged within your State, the act itself will be your guide; and as it is desirable that we should be kept informed of the progress in this business, I must pray you to report the same from time to time to the Secretary at War, who will correspond with you on all the details arising out of it.

I salute you with great consideration and respect.

TO JAMES MONROE.

WASHINGTON, March 21, 1807.

DEAR SIR,—A copy of the treaty with Great Britain came to Mr. Erskine's hands on the last day of the session of Congress, which he immediately communicated to us; and since that Mr. Purviance has arrived with an original. On the subject of it

you will receive a letter from the Secretary of State, of about this date, and one more in detail hereafter. I should not have written, but that I perceive uncommon efforts, and with uncommon wickedness, are making by the federal papers to produce mischief between myself, personally, and our negotiators; and also to irritate the British government, by putting a thousand speeches into my mouth, not one word of which I ever uttered. I have, therefore, thought it safe to guard you, by stating the view which we have given out on the subject of the treaty, in conversation and otherwise; for ours, as you know, is a government which will not tolerate the being kept entirely in the dark, and especially on a subject so interesting as this treaty. We immediately stated in conversation, to the members of the Legislature and others, that having, by a letter received in January, perceived that our ministers might sign a treaty not providing satisfactorily against the impressment of our seamen, we had, on the 3d of February, informed you, that should such an one have been forwarded, it could not be ratified, and recommending, therefore, that you should resume negotiations for inserting an article to that effect; that we should hold the treaty in suspense until we could learn from you the result of our instructions, which probably would not be till summer, and then decide on the question of calling the Senate. We observed, too, that a written declaration of the British commissioners,

given in at the time of signature, would of itself, unless withdrawn, prevent the acceptance of any treaty, because its effect was to leave us bound by the treaty, and themselves totally unbound. This is the statement we have given out, and nothing more of the contents of the treaty has ever been made known. But depend on it, my dear Sir, that it will be considered as a hard treaty when it is known. The British commissioners appear to have screwed every article as far as it would bear, to have taken everything, and yielded nothing. Take out the eleventh article, and the evil of all the others so much overweighs the good, that we should be glad to expunge the whole. And even the eleventh article admits only that we may enjoy our right to the indirect colonial trade, *during the present hostilities*. If peace is made this year, and war resumed the next, the benefit of this stipulation is gone, and yet we are bound for ten years, to pass no non-importation or non-intercourse laws, nor take any other measures to restrain the unjust pretensions and practices of the British. But on this you will hear from the Secretary of State. If the treaty cannot be put into acceptable form, then the next best thing is to back out of the negotiation as well as we can, letting that die away insensibly; but, in the meantime, agreeing informally, that both parties shall act on the principles of the treaty, so as to preserve that friendly understanding which we sincerely desire, until the one or the other

may be disposed to yield the points which divide us. This will leave you to follow your desire of coming home, as soon as you see that the amendment of the treaty is desperate. The power of continuing the negotiations will pass over to Mr. Pinckney, who, by procrastinations, can let it die away, and give us time, the most precious of all things to us. The government of New Orleans is still without such a head as I wish. The salary of five thousand dollars is too small; but I am assured the Orleans legislature would make it adequate, would you accept it. It is the second office in the United States in importance, and I am still in hopes you will accept it. It is impossible to let you stay at home while the public has so much need of talents. I am writing under a severe indisposition of periodical headache, without scarcely command enough of my mind to know what I write. As a part of this letter concerns Mr. Pinckney as well as yourself, be so good as to communicate so much of it to him; and with my best respects to him, to Mrs. Monroe and your daughter, be assured yourself, in all cases, of my constant and affectionate friendship and attachment.

TO ROBERT R. LIVINGSTON, ESQ.

WASHINGTON, March 24, 1807.

DEAR SIR,—The two receipts of Poncin's have come safely to hand. The account had been

settled without difficulty. The federal papers appear desirous of making mischief between us and England, by putting speeches into my mouth which I never uttered. Perceiving, by a letter received in January, that our commissioners were making up their mind to sign a treaty which contained no provision against impressment, we immediately instructed them not to do so; and if done, to consider the treaty as not accepted, and to resume their negotiations to supply an article against impressment. We therefore hold the treaty in suspense, until we hear what is done in consequence of our last instructions. Probably we shall not hear till midsummer, and we reserve till that time the question of calling the Senate. In the meantime, to show the continuance of a friendly spirit, we continue the suspension of the non-importation act by proclamation. Another cause for not accepting the treaty was a written declaration by the British commissioner, at the time of signing, reserving a right, if we did not oppose the French decree to their satisfaction, to retaliate in their own way, however it might affect the treaty; so that, in fact, we were to be bound, and they left free. I think, upon the whole, the Emperor cannot be dissatisfied at the present state of things between us and England, and that he must rather be satisfied at our unhesitating rejection of a proposition to make common cause against him, for such in amount it was. Burr has indeed made a most inglorious exhibition of his

much over-rated talents. He is now on his way to Richmond for trial. Accept my friendly salutations, and assurances of constant esteem and respect.

TO ———.

WASHINGTON, March 25, 1807.

DEAR SIR,— * * * * * * * * Burr is on his way to Richmond for trial. No man's history proves better the value of honesty. With that, what might he not have been! I expect you are at a loss to understand the situation of the British treaty, on which the newspapers make so many speeches for me which I never made. It is exactly this. By a letter received from our negotiators in January, we found they were making up their minds to sign a treaty containing no provision against the impressment of our seamen. We instantly (February 3d) instructed them not to do so; and that if such a treaty had been forwarded, it could not be ratified; that therefore they must immediately resume the negotiations to supply that defect, as a *sine qua non*. Such a treaty having come to hand, we of course suspend it, until we know the result of the instructions of February 3d, which probably will not be till midsummer. We reserve ourselves till then to decide the question of calling the Senate. In the meantime, I have, by proclamation, continued the suspension of the non-

importation law, as a proof of the continuance of friendly dispositions. There was another circumstance which would have prevented the acceptance of the treaty. The British commissioners, at the time of signing, gave in a written declaration, that until they knew what we meant to do in the subject of the French decree, the king reserved to himself the right of not ratifying, and of taking any measures retaliating on France which he should deem proper, notwithstanding the treaty. This made the treaty binding on us; while he was loose to regard it or not, and clearly squinted at the expectation that we should join in resistance to France, or they would not regard the treaty. We rejected this idea unhesitatingly.

I expected to have paid a short visit to Monticello before this, but have been detained by the illness of my son-in-law, Mr. Randolph, and now by an attack of periodical headache on myself. This leaves me but an hour and a half each morning capable of any business at all. A part of this I have devoted to write you this letter, and to assure you of my constant friendship and respect.

TO COLONEL G. MORGAN.

WASHINGTON, March 26, 1807.

SIR,—Your favors of January 19th and 20th came to hand in due time, but it was not in my power to acknowledge their receipt during the session of

Congress. General Gage's paper I have filed with that on Pensacola, in the War Office, and Mr. Hutchins' map, in the Navy Office, where they will be useful. I tender you my thanks for this contribution to the public service. The bed of the Mississippi and the shoals on the coast change so frequently, as to require frequent renewals of the surveys. Congress have authorized a new survey of our whole coast, by an act of the last session. Burr is on his way to Richmond for trial; and if the judges do not discharge him before it is possible to collect the testimony from Maine to New Orleans, there can be no doubt where his history will end. To what degree punishments of his adherents shall be extended, will be decided when we shall have collected all the evidence, and seen who were cordially guilty. The federalists appear to make Burr's cause their own, and to spare no efforts to screen his adherents. Their great mortification is at the failure of his plans. Had a little success dawned on him, their openly joining him might have produced some danger. As it is, I believe the undertaking will not be without some good effects, as a wholesome lesson to those who have more ardor than principle. I believe there is reason to expect that Blennerhasset will also be sent by the judges of Mississippi to Virginia. Yours was the very first intimation I had of this plot, for which it is but justice to say you have deserved well of your country. Accept my friendly salutations, and assurances of great esteem and respect.

TO TENCH COXE.

WASHINGTON, March 27, 1807.

SIR,—I received on the 24th of January a communication, which from an endorsement in your hand, I knew to have come from you. Others had been received at different periods before, which candor obliges me frankly to say, had not been answered because some of the earliest of them had been of a character with which I thought it my duty to be dissatisfied. Observing, however, that you have continued to turn your attention assiduously to the public interests, and to communicate to the government your ideas, which have often been useful, I expunge from my mind the umbrage which had been taken, and wish it no more to be recollected or explained on either side.

Your idea of providing as many arms as we have fighting men, is undoubtedly a sound one. Its execution, however, depends on the Legislature. Composed, indeed, of gentlemen of the best intentions, but like all others collected in mass, requiring considerable time to receive impressions, however useful, if new. Time and reflection will not fail in the end to bring them to whatever is right. The session before the last I proposed to them the classification of the militia, so that those in the prime of life only, and unburdened with families, should ever be called into distant service; and that every man should receive a stand of arms the first year he

entered the militia. This would have required 40,000 stands a year, and in a few years would have armed the whole, besides the stock in the public arsenals, which is a good one. Converts to the measure are daily coming over, and it will prevail in time. The same thing will happen as to the employing the surplus of our revenues to roads, rivers, canals, education. The proposition for building lock-docks for the preservation of our navy, has local rivalries to contend against. Till these can be overruled or compromised, the measure can never be adopted. Yet there ought never to be another ship built until we can provide some method of preserving them through the long intervals of peace which I hope are to be the lot of our country. I understand that, employing private as well as the public manufactories, we can make about 40,000 stand of arms a year. But they come so much dearer than the imported of equal quality, that we shall import also. From the beginning of my administration, I have discouraged the laying in stores of powder, but have recommended great stores of sulphur and saltpetre. I confess, however, I do not apprehend that the dislike which I know the European governments have to our form, will combine them in any serious attempts against it. They have too many jealousies of one another, to engage in distant wars for a matter of opinion only. I verily believe that it will ever be in our power to keep so even a stand between England and France,

as to inspire a wish in neither to throw us into the scale of his adversary. But if we can do this for a dozen years only, we shall have little to fear from them. Accept my salutations, and assurances of esteem and respect.

TO LEVETT HARRIS, ESQ.

WASHINGTON, March 28, 1807.

SIR,—Your letters of August 10th and September 18th have been duly received, and I have to thank you for the safe transmission of the four volumes of the "Vocabulaires Comparés de Pallas," for which I am indebted, through you, to the Minister of Commerce, Count Romanzoff. I must pray you, in a particular manner, to express to his Excellency my sensibility for this mark of his obliging attention, rendered the more impressive from a high esteem for his personal character, and from the hope that an interchange of personal esteem may contribute to strengthen the friendship of the two nations, bound together by many similar interests. To this I must add by anticipation my thanks for his work on the Commerce of Russia, as well as to Count Potoski, for the two works from him, which you mention to have been sent by Mr. A. Smith, and which, I doubt not, will come safely to hand. Accept for yourself my salutations, and assurances of esteem and respect.

TO ALBERT GALLATIN.

March 29, 1807.

A doubt is entertained whether the Acts of Congress respecting claims to lands in Orleans and Louisiana, and authorizing the commissioners "to decide according to the laws and established usages and customs of the French and Spanish governments, *upon all claims to lands within their respective districts*," etc., meant to give that power as to *all claims*, or to restrict it to those claims only which had been previously recognized by Congress.

Were it necessary for us to decide that question, I should be of opinion that it meant *all claims*, because the words are general. "*All claims to lands within their respective districts*," and there are no other words restricting them to those claims only, previously recognized by Congress; and because the intention of the Act was to quiet and satisfy all the minor claimants, and reserve only the great and fraudulent speculations for rigorous examination.

But the Board of Commissioners, being a judiciary tribunal, I should think it proper to leave them to the law itself, as their instructions, on the meaning of which they are competent to decide, and, being on the spot, are better informed of the nature of those claims than we are. Affectionate salutations.

TO GENERAL HENRY DEARBORN.

March 29, 1807.

Many officers of the army being involved in the offence of intending a military enterprise against a nation at peace with the United States, to remove the whole without trial, by the paramount authority of the executive, would be a proceeding of unusual severity. Some line must therefore be drawn to separate the more from the less guilty. The only sound one which occurs to me is between those who believed the enterprise was with the approbation of the government, open or secret, and those who meant to proceed in defiance of the government. Concealment would be no line at all, because all concealed it. Applying the line of *defiance* to the case of Lieutenant Meade, it does not appear by any testimony I have seen, that he meant to proceed in defiance of the government, but, on the contrary, that he was made to believe the government approved of the expedition. If it be objected that he concealed a part of what had taken place in his communications to the Secretary at War, yet if a concealment of the whole would not furnish a proper line of distinction, still less would the concealment of a part. This too would be a removal for *prevarication*, not for *unauthorized enterprise*, and could not be a proper ground for exercising the extraordinary power of removal by the President. On the whole, I think Lieutenant Meade's

is not a case for its exercise. Affectionate salutations.

TO ROBERT PATTERSON.

WASHINGTON, March 29, 1807.

DEAR SIR,—I have duly received your letter of the 25th, proposing the appointment of an assistant engraver to the Mint, at a salary of $600, and that Mr. Reich should be the assistant. You are so exclusively competent to decide on the want of such an officer, that I approve the proposition in the faith of your opinion. With respect to the person to be appointed, my knowledge of the superior talents of Mr. Reich concurs with your recommendation in the propriety of appointing him.

I should approve of your employing the Mint on small silver coins, rather than on dollars and gold coins, as far as the consent of those who employ it can be obtained. It would be much more valuable to the public to be supplied with abundance of dimes and half dimes, which would stay among us, than with dollars and eagles which leave us immediately. Indeed I wish the law authorized the making two cent and three cent pieces of silver, and golden dollars, which would all be large enough to handle, and would be a great convenience to our own citizens. Accept my affectionate salutations.

TO MONSIEUR LE COMTE DIODATI.

WASHINGTON, March 29, 1807.

MY DEAR AND ANCIENT FRIEND,—Your letter of August the 29th reached me on the 18th of February. It enclosed a duplicate of that written from Brunswick five years before, but which I never received, or had notice of, but by this duplicate. Be assured, my friend, that I was incapable of such negligence towards you, as a failure to answer it would have implied. It would illy have accorded with those sentiments of friendship I entertained for you at Paris, and which neither time nor distance has lessened. I often pass in review the many happy hours I spent with Madame Diodati and yourself on the banks of the Seine, as well as at Paris, and I count them among the most pleasing I enjoyed in France. Those were indeed days of tranquillity and happiness. They had begun to cloud a little before I left you; but I had no apprehension that the tempest, of which I saw the beginning, was to spread over such an extent of space and time. I have often thought of you with anxiety, and wished to know how you weathered the storm, and into what port you had retired. The letters now received give me the first information, and I sincerely felicitate you on your safe and quiet retreat. Were I in Europe, *pax et panis* would certainly be my motto. Wars and contentions, indeed, fill the pages of history with more matter. But more blest is that

nation whose silent course of happiness furnishes nothing for history to say. This is what I ambition for my own country, and what it has fortunately enjoyed for now upwards of twenty years, while Europe has been in constant volcanic eruption. I again, my friend, repeat my joy that you have escaped the overwhelming torrent of its lava.

At the end of my present term, of which two years are yet to come, I propose to retire from public life, and to close my days on my patrimony of Monticello, in the bosom of my family. I have hitherto enjoyed uniform health; but the weight of public business begins to be too heavy for me, and I long for the enjoyments of rural life, among my books, my farms and my family. Having performed my *quadragena stipendia*, I am entitled to my discharge, and should be sorry, indeed, that others should be sooner sensible than myself when I ought to ask it. I have, therefore, requested my fellow-citizens to think of a successor for me, to whom I shall deliver the public concerns with greater joy than I received them. I have the consolation too of having added nothing to my private fortune, during my public service, and of retiring with hands as clean as they are empty. Pardon me these egotisms, which, if ever excusable, are so when writing to a friend to whom our concerns are not uninteresting. I shall always be glad to hear of your health and happiness, and having been out of the way of hearing of any of our cotem-

poraries of the *corps diplomatique* at Paris, any details of their subsequent history which you will favor me with, will be thankfully received. I pray you to make my friendly respects acceptable to Madame la Comtesse Diodati, to assure M. Tronchin of my continued esteem, and to accept yourself my affectionate salutations, and assurances of constant attachment and respect.

TO JAMES BOWDOIN.

WASHINGTON, April 2, 1807.

DEAR SIR,—I wrote you on the 10th of July last; but neither your letter of October the 20th, nor that of November the 15th mentioning the receipt of it, I fear it has miscarried. I therefore now enclose a duplicate. As that was to go under cover of the Secretary of State's despatches by any vessel going from our distant ports, I retained the polygraph therein mentioned for a safer conveyance. None such has occurred till now, that the United States armed brig the Wasp, on her way to the Mediterranean is to touch at Falmouth, with despatches for our ministers at London and at Brest, with others for yourself and General Armstrong.

You heard in due time from London of the signature of a treaty there between Great Britain and the United States. By a letter we received in January from our ministers at London, we found they were making up their minds to sign a treaty,

in which no provision was made against the impressment of our seamen, contenting themselves with a note received in the course of their correspondence, from the British negotiators, assuring them of the discretion with which impressments should be conducted, which could be construed into a covenant only by inferences, against which its omission in the treaty was a strong inference; and in its terms totally unsatisfactory. By a letter of February the 3d, they were immediately informed that no treaty, not containing a satisfactory article on that head, would be ratified, and desiring them to resume the negotiations on that point. The treaty having come to us actually in the inadmissible shape apprehended, we, of course, hold it up until we know the result of the instructions of February the 3d. I have but little expectation that the British government will retire from their habitual wrongs in the impressment of our seamen, and am certain, that without that, we will never tie up our hands by treaty, from the right of passing a non-importation or non-intercourse act, to make it her interest to become just. This may bring on a war of commercial restrictions. To show, however, the sincerity of our desire for conciliation, I have suspended the non-importation act. This state of things should be understood at Paris, and every effort used on your part to accommodate our differences with Spain, under the auspices of France, with whom it is all important that we should stand in terms of the

strictest cordiality. In fact, we are to depend on her and Russia for the establishment of neutral rights by the treaty of peace, among which should be that of taking no persons by a belligerent out of a neutral ship, unless they be the *soldiers* of an enemy. Never did a nation act towards another with more perfidy and injustice than Spain has constantly practised against us: and if we have kept our hands off of her till now, it has been purely out of respect to France, and from the value we set on the friendship of France. We expect, therefore, from the friendship of the Emperor, that he will either compel Spain to do us justice, or abandon her to us. We ask but one month to be in possession of the City of Mexico.

No better proof of the good faith of the United States could have been given, than the vigor with which we have acted, and the expense incurred, in suppressing the enterprise meditated lately by Burr against Mexico. Although at first, he proposed a separation of the western country, and on that ground received encouragement and aid from Yrujo, according to the usual spirit of his government towards us, yet he very early saw that the fidelity of the western country was not to be shaken, and turned himself wholly towards Mexico. And so popular is an enterprise on that country in this, that we had only to lie still, and he would have had followers enough to have been in the City of Mexico in six weeks. You have doubtless seen my several messages to Congress, which give a faithful narrative

of that conspiracy. Burr himself, after being disarmed by our endeavors of all his followers, escaped from the custody of the court of Mississippi, but was taken near Fort Stoddart, making his way to Mobile, by some country people, who brought him on as a prisoner to Richmond, where he is now under a course for trial. Hitherto we have believed our law to be, that suspicion on probable grounds was sufficient cause to commit a person for trial, allowing time to collect witnesses till the trial. But the judges here have decided, that conclusive evidence of guilt must be ready in the moment of arrest, or they will discharge the malefactor. If this is still insisted on, Burr will be discharged; because his crimes having been sown from Maine, through the whole line of the western waters, to New Orleans, we cannot bring the witnesses here under four months. The fact is, that the federalists make Burr's cause their own, and exert their whole influence to shield him from punishment, as they did the adherents of Miranda. And it is unfortunate that federalism is still predominant in our judiciary department, which is consequently in opposition to the legislative and executive branches, and is able to baffle their measures often.

Accept my friendly salutations, and assurances of great esteem and respect.

TO WILLIAM B. GILES.

MONTICELLO, April 20, 1807.

DEAR SIR,—Your favor of the 6th instant, on the subject of Burr's offences, was received only four days ago. That there should be anxiety and doubt in the public mind, in the present defective state of the proof, is not wonderful; and this has been sedulously encouraged by the tricks of the judges to force trials before it is possible to collect the evidence, dispersed through a line of two thousand miles from Maine to Orleans. The federalists, too, give all their aid, making Burr's cause their own, mortified only that he did not separate the Union or overturn the government, and proving, that had he had a little dawn of success, they would have joined him to introduce his object, their favorite monarchy, as they would any other enemy, foreign or domestic, who could rid them of this hateful republic for any other government in exchange.

The first ground of complaint was the supine inattention of the administration to a treason stalking through the land in open day. The present one, that they have crushed it before it was ripe for execution, so that no overt acts can be produced. This last may be true; though I believe it is not. Our information having been chiefly by way of letter, we do not know of a certainty yet what will be proved. We have set on foot an inquiry through

the whole of the country which has been the scene of these transactions, to be able to prove to the courts, if they will give time, or to the public by way of communication to Congress, what the real facts have been. For obtaining this, we are obliged to appeal to the patriotism of particular persons in different places, of whom we have requested to make the inquiry in their neighborhood, and on such information as shall be voluntarily offered. Aided by no process or facilities from the *federal* courts, but frowned on by their new-born zeal for the liberty of those whom we would not permit to overthrow the liberties of their country, we can expect no revealments from the accomplices of the chief offender. Of treasonable intentions, the judges have been obliged to confess there is probable appearance. What loophole they will find in the case, when it comes to trial, we cannot foresee. Eaton, Stoddart, Wilkinson, and two others whom I must not name, will satisfy the world, if not the judges, of Burr's guilt. And I do suppose the following overt acts will be proved: 1. The enlistment of men, in a regular way. 2. The regular mounting of guard round Blennerhasset's island when they expected Governor Tiffin's men to be on them, *modo guerrino arraiati*. 3. The rendezvous of Burr with his men at the mouth of Cumberland. 4. His letter to the acting Governor of Mississippi, holding up the prospect of civil war. 5. His capitulation regularly signed with the aids of the Gov-

ernor, as between two independent and hostile commanders.

But a moment's calculation will show that this evidence cannot be collected under four months, probably five, from the moment of deciding when and where the trial shall be. I desired Mr. Rodney expressly to inform the Chief Justice of this, inofficially. But Mr. Marshall says, "More than five weeks have elapsed since the opinion of the Supreme Court has declared the necessity of proving the overt acts, if they exist. Why are they not proved?" In what terms of decency can we speak of this? As if an express could go to Natchez, or the mouth of Cumberland, and return in five weeks, to do which has never taken less than twelve. Again, "If, in November or December last, a body of troops had been assembled on the Ohio, it is impossible to suppose the affidavits establishing the fact could not have been obtained by the last of March." But I ask the judge where they should have been lodged? At Frankfort? at Cincinnati? at Nashville? St. Louis? Natchez? New Orleans? These were the probable places of apprehension and examination. It was not known at *Washington* till the 26th of March that Burr would escape from the Western tribunals, be retaken and brought to an Eastern one; and in five days after, (neither five months nor five weeks, as the judge calculated,) he says, it is "impossible to suppose the affidavits could not have been obtained." Where? At Richmond he

certainly meant, or meant only to throw dust in the eyes of his audience. But all the principles of law are to be perverted which would bear on the favorite offenders who endeavor to overturn this odious republic. "I understand," says the judge, "*probable* cause of guilt to be a case made out by *proof* furnishing good reason to believe," etc. Speaking as a lawyer, he must mean legal proof, i. e., proof on oath, at least. But this is confounding *probability* and *proof*. We had always before understood that where there was reasonable ground to believe guilt, the offender must be put on his trial. That guilty intentions were probable, the judge believed. And as to the overt acts, were not the bundle of letters of information in Mr. Rodney's hands, the letters and facts published in the local newspapers, Burr's flight, and the universal belief or rumor of his guilt, probable ground for presuming the facts of enlistment, military guard, rendezvous, threat of civil war, or capitulation, so as to put him on trial? Is there a candid man in the United States who does not believe some one, if not all, of these overt acts to have taken place?

If there ever had been an instance in this or the preceding administrations, of federal judges so applying principles of law as to condemn a federal or acquit a republican offender, I should have judged them in the present case with more charity. All this, however, will work well. The nation will judge both the offender and judges for themselves.

If a member of the executive or legislature does wrong, the day is never far distant when the people will remove him. They will see then and amend the error in our Constitution, which makes any branch independent of the nation. They will see that one of the great co-ordinate branches of the government, setting itself in opposition to the other two, and to the common sense of the nation, proclaims immunity to that class of offenders which endeavors to overturn the Constitution, and are themselves protected in it by the Constitution itself; for impeachment is a farce which will not be tried again. If their protection of Burr produces this amendment, it will do more good than his condemnation would have done. Against Burr, personally, I never had one hostile sentiment. I never indeed thought him an honest, frank-dealing man, but considered him as a crooked gun, or other perverted machine, whose aim or shot you could never be sure of. Still, while he possessed the confidence of the nation, I thought it my duty to respect in him their confidence, and to treat him as if he deserved it; and if his punishment can be commuted now for an useful amendment of the Constitution, I shall rejoice in it. My sheet being full, I perceive it is high time to offer you my friendly salutations, and assure you of my constant and affectionate esteem and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, April 21, 1807.

DEAR SIR,—Yours of the 13th came to hand only yesterday, and I now return you the letters of Turreau and Woodward, and Mr. Gallatin's paper on foreign seamen. I retain Monroe and Pinckney's letters, to give them a more deliberate perusal than I can now before the departure of the post. By the next they shall be returned. I should think it best to answer Turreau at once, as he will ascribe delay to a supposed difficulty, and will be sure to force an answer at last. I take the true principle to be, that "for violations of jurisdiction, with the consent of the sovereign, or his voluntary sufferance, indemnification is due; but that for others he is bound only to use all *reasonable* means to obtain indemnification from the aggressor, which must be calculated on his circumstances, and these endeavors *bona fide* made; and failing, he is no further responsible." It would be extraordinary indeed if we were to be answerable for the conduct of belligerents through our whole coast, whether inhabited or not.

Will you be so good as to send a passport to Julian V. Niemcewicz, an American citizen, of New Jersey, going to Europe on his private affairs? I have known him intimately for twenty years, the last twelve of which he has resided in the United States, of which he has a certificate of citizenship. He was the companion of Kosciusko. Be so good

as to direct it to him at Elizabethtown, and without delay, as he is on his departure. Mr. Gallatin's estimate of the number of foreign seamen in our employ renders it prudent, I think, to suspend all propositions respecting our non-employment of them. As, on a consultation when we were all together, we had made up our minds on every article of the British treaty, and this of not employing their seamen was only mentioned for further inquiry and consideration, we had better let the negotiations go on, on the ground then agreed on, and take time to consider this supplementary proposition. Such an addition as this to a treaty already so bad would fill up the measure of public condemnation. It would indeed be making bad worse. I am more and more convinced that our best course is, to let the negotiation take a friendly nap, and endeavor in the meantime to practice on such of its principles as are mutually acceptable. Perhaps we may hereafter barter the stipulation not to employ their seamen for some equivalent to our flag, by way of convention; or perhaps the general treaty of peace may do better for us, if we shall not, in the meantime, have done worse for ourselves. At any rate, it will not be the worse for lying three weeks longer. I salute you with sincere affection.

P. S. Will you be so good as to have me furnished with a copy of Mr. Gallatin's estimate of the number of foreign seamen? I think he overrates the number of officers greatly.

TO ALBERT GALLATIN.

MONTICELLO, April 21, 1807.

Some very unusual delay has happened to the post, as I received yesterday only my letter from Philadelphia, as far back as April 9th, and Washington, April 11th. Of course yours of the 13th and 16th were then only received, and being overwhelmed with such an accumulated mail, I must be short, as the post goes out in a few hours. I return you Huston's, Findlay's, and Governor Harrison's letters. J. Smith's is retained because it is full of nominations. I had received, a week ago, from a member of the Pennsylvania legislature, a copy of their act for the Western road. I immediately wrote to Mr. Moore that we should consider the question whether the road should pass through Uniontown, as now decided affirmatively, and I referred to the commissioner to reconsider the question whether it should also pass through Brownsville, and to decide it according to their own judgment. I desired him to undertake the superintendence of the execution, to begin the work in time to lay out the whole appropriation this summer, and to employ it in making effectually good the most difficult parts. I approve of Governor Harrison's lease to Taylor, and of the conveying the salt water by pipes to the fuel and navigation, rather than the fuel and navigation to the Saline. I think it our indispensable duty to remove imme-

diately all intruders from the lands, the timber of which will be wanting for the Salines, and will sign any order you will be so good as to prepare for that purpose. You are hereby authorized to announce to the collector of Savannah, his removal, if you judge it for the public good. I recollect nothing of Bullock, the attorney, and not having my papers here, I am not able to refresh my memory concerning him. I expect to leave this, on my return to Washington, about three weeks hence. Your estimate of the number of foreign seamen in our employ, renders it prudent, in my opinion, to drop the idea of any proposition not to employ them. As we had made up our minds on every article of the British treaty, when consulting together, and this idea was only an afterthought referred for enquiry and consideration, we had better take more time for it. Time strengthens my belief that no equal treaty will be obtained from such a higgler as Lord Auckland, or from the present ministry, Fox being no longer with them, and that we shall be better without any treaty than an unequal one. Perhaps we may engage them to act on certain articles, including their note on impressment, by a mutual understanding, under the pretext of further time to arrange a general treaty. Perhaps, too, the general peace will, in the meantime, establish for us better principles than we can obtain ourselves.

I enclose a letter from Gideon Fitz. Affectionate salutes.

TO JULIAN NIEMCEWICZ.

MONTICELLO, April 22, 1807.

DEAR SIR,—I received on the 20th your favor of the 10th instant, and yesterday I wrote to desire the Secretary of State to forward your passport to Elizabethtown. In the visit you propose to make to your native country, I sincerely wish you may find its situation, and your own interests in it, satisfactory. On what it has been, is, or shall be, however, I shall say nothing. I consider Europe, at present, as a world apart from us, about which it is improper for us even to form opinions, or to indulge any wishes but the general one, that whatever is to take place in it, may be for its happiness. For yourself, however, personally, I may express with safety as well as truth, my great esteem and the interest I feel for your welfare. From the same principles of caution, I do not write to my friend Kosciusko. I know he is always doing what he thinks is right, and he knows my prayers are for his success in whatever he does. Assure him, if you please, of my constant affection, and accept yourself my wishes for a safe and pleasant voyage, with my friendly salutations, and assurances of great esteem and respect.

TO JAMES MADISON.

MONTICELLO, April 25, 1807.

DEAR SIR,—Yours of the 20th came to hand on the 23d, and I now return all the papers it covered, to wit, Harris's, Maunce's, and General Smith's letters, as also some papers respecting Burr's case, for circulation. Under another cover is a letter from Governor Williams, confidential, and for yourself alone, as yet. I expect we shall have to remove Meade. Under still a different cover you will receive Monroe's and Pinckney's letters, detained at the last post. I wrote you then on the subject of the British treaty, which the more it is developed the worse it appears. Mr. Rodney being supposed absent, I enclose you a letter from Mr. Reed, advising the summoning Rufus Easton as a witness; but if he is at St. Louis, he cannot be here by the 22d of May. You will observe that Governor Williams asks immediate instructions what he shall do with Blennerhasset, Tyler, Floyd, and Ralston. I do not know that we can do anything but direct General Wilkinson to receive and send them to any place where the judge shall decide they ought to be tried. I suppose Blennerhasset should come to Richmond. On consulting with the other gentlemen, be so good as to write to Williams immediately, as a letter will barely get there by the fourth Monday of May. I enclose you a warrant for five thousand dollars for Mr. Rodney, in the form advised by Mr. Gallatin.

We have had three great rains within the last thirteen days. It is just now clearing off after thirty-six hours of rain, with little intermission. Yet it is thought not too much. I salute you with sincere affection.

TO THOMAS MOORE.

MONTICELLO, May 1, 1807.

SIR,—On the 14th of April I wrote to you, on the presumption that a law respecting the western road had passed the Legislature of Pennsylvania, in the form enclosed by Mr. Dorsey, and which I enclosed to you. I have now received from the Governor an authentic copy of the law, which agrees with that I forwarded to you. You will therefore be pleased to consider the contents of that letter as founded in the certainty of the fact that the law did pass in that form, although not certainly known at that time, and proceed on it accordingly. I shall be in Washington on the 16th and 17th inst., should you have occasion for further communication with me. I salute you with esteem and respect.

TO JAMES MADISON.

MONTICELLO, May 1, 1807.

DEAR SIR,—I return you Monroe's, Armstrong's, Harris's, and Anderson's letters, and add a letter and act from Governor McKean, to be filed in your

office. The proposition for separating the western country, mentioned by Armstrong to have been made at Paris, is important. But what is the declaration he speaks of? for none accompanies his letter, unless he means Harry Grant's proposition. I wish our Ministers at Paris, London, and Madrid, could find out Burr's propositions and agents there. I know few of the characters of the new British administration. The few I know are true Pittites, and anti-American. From them we have nothing to hope, but that they will readily let us back out. Whether they can hold their places will depend on the question whether the Irish propositions be popular or unpopular in England. Dr. Sibley, in a letter to General Dearborn, corrects an error of fact in my message to Congress of December. He says the Spaniards never had a single soldier at Bayou Pierre till after 1805. Consequently it was not a keeping, but a taking of a military possession of that post. I think General Dearborn would do well to desire Sibley to send us affidavits of that fact.

Our weather continues extremely seasonable, and favorable for vegetation. I salute you with sincere affection.

P. S. The pamphlet and papers shall be returned by next post.

TO OLIVER EVANS.

MONTICELLO, May 2, 1807.

SIR,—Your favor of the 18th came to hand two days ago. That the ingenuity of an advocate, seeking for something to defend his client, should have hazarded as an objection that it did not appear on the face of the patent itself, that you had complied with the requisitions of the act authorizing a patent for your invention, is not wonderful; but I do not expect that such an objection can seriously embarrass the good sense of a judge. The law requires, indeed, that certain acts shall be performed by the inventor to authorize a monopoly of his invention, and, to secure their being done, it has called in, and relied on, the agency of the Secretary of State, the Attorney General, and President. When they are satisfied the acts have been done, they are to execute a patent, granting to the inventor the monopoly. But the law does not require that the patent itself should bear the evidence that they should have been performed, any more than it requires that in a judgment should be stated all the evidence on which it is founded. The evidence of the acts on which the patent is founded, rests with those whose duty it is to see that they are performed; in fact, it is in the Secretary of State's office, where the interloper or inventor may have recourse to it if wanting. If these high officers have really failed to see that the acts were performed, or to preserve evidence of it, they

have broken their trust to the public, and are responsible to the public; but their negligence cannot invalidate the inventor's right, who has been guilty of no fault. On the contrary, the patent, which is a record, has conveyed a right to him from the public, and that it was issued rightfully ought to be believed on the signature of these high officers affixed to the patent,—this being a solemn pledge on their part that the acts had been performed. Would their assertion of the fact, in the patent itself, pledge them more to the public? I do not think, then, that the disinterested judgment of a court can find difficulty in this objection. At any rate your right will be presumed valid, until they decide that it is not. Their final decision alone can authorize your resort to any remedial authority,—that is to say, to the Legislature, who alone can provide a remedy. Certainly an inventor ought to be allowed a right to the benefit of his invention for some certain time. It is equally certain it ought not to be perpetual; for to embarrass society with monopolies for every utensil existing, and in all the details of life, would be more injurious to them than had the supposed inventors never existed; because the natural understanding of its members would have suggested the same things or others as good. How long the term should be is the difficult question. Our legislators have copied the English estimate of the term, perhaps without sufficiently considering how much longer, in a country so much more

sparsely settled, it takes for an invention to become known, and used to an extent profitable to the inventor. Nobody wishes more than I do that ingenuity should receive a liberal encouragement: nobody estimates higher the utility which society has derived from that displayed by yourself; and I assure you with truth, that I shall always be ready to manifest it by every service I can render you. To this assurance I add that of my great respect and esteem, and my friendly salutations.

TO JAMES MADISON.

MONTICELLO, May 5, 1807.

I return you the pamphlet of the author of War in Disguise. Of its first half, the topics and the treatment of them are very commonplace; but from page 118 to 130 it is most interesting to all nations, and especially to us. Convinced that a militia of all ages promiscuously are entirely useless for distant service, and that we never shall be safe until we have a selected corps for a year's distant service at least, the classification of our militia is now the most essential thing the United States have to do. Whether, on Bonaparte's plan of making a class for every year between certain periods, or that recommended in my message, I do not know, but I rather incline to his. The idea is not new, as, you may remember, we adopted it once in Virginia during the revolution, but abandoned it too soon,

It is the real secret of Bonaparte's success. Could H. Smith put better matter into his paper than the twelve pages above mentioned, and will you suggest it to him? No effort should be spared to bring the public mind to this great point. I salute you with sincere affection.

TO THE HONORABLE JOHN SMITH.

MONTICELLO, May 7, 1807.

DEAR SIR,—Your two letters of March 27th and April 6th have been received. Writing from this place, where I have not my papers to turn to, I cannot even say whether I have received such as you ask copies of. But I am sorry to answer any request of yours by saying that a compliance would be a breach of trust. It is essential for the public interest that I should receive all the information possible respecting either matters or persons connected with the public. To induce people to give this information, they must feel assured that when deposited with me it is secret and sacred. Honest men might justifiably withhold information, if they expected the communication would be made public, and commit them to war with their neighbors and friends. This imposes the duty on me of considering such information as mere suggestions for inquiry, and to put me on my guard; and to injure no man by forming any opinion until the suggestion be verified. Long experience in this school has by no

means strengthened the disposition to believe too easily. On the contrary, it has begotten an incredulity which leaves no one's character in danger from any hasty conclusion. I hope these considerations will satisfy you, both as they respect you and myself, and that you will be assured I shall always be better pleased with those cases which admit that compliance with your wishes which is always pleasing to me. Accept my salutations, and assurances of great esteem and respect.

TO JAMES MADISON.

MONTICELLO, May 8, 1807.

I return you Monroe's letter of March 5th. As the explosion in the British ministry took place about the 15th, I hope we shall be spared the additional embarrassment of his convention. I enclose you a letter of Michael Jones for circulation, and to rest with the Attorney General. It contains new instances of Burr's enlistments. I received this from Mr. Gallatin, so you can hand it to General Dearborn direct.

I expect to leave this on the 13th, but there is a possible occurrence which may prevent it till the 19th, which however is not probable. Accept affectionate salutations.

The Broadside Declaration of Independence

Photo-engraving reduced from a Photographic Copy in Independence Hall, the Original Copy being now in the possession of Mrs. Charles Curtis Harrison, of Philadelphia.

When the Declaration of Independence was agreed to by the Continental Congress on the afternoon of July 4, 1776, it was thereupon

"*Ordered*, That the Declaration be authenticated and printed.

"That the Committee appointed to prepare the Declaration, superintend and correct the press."

The Declaration, in accordance with the above order, was then anthenticated by writing under it: "Signed by Order and in Behalf of the Congress, John Hancock, President. Attest, Charles Thomson, Secretary."

The document was at once sent to the official printer, John Dunlap, and printed as a Broadside.

Furthermore the Congress "*Resolved*, That copies of the Declaration be sent to the several Assemblies, Conventions and Committees or Councils of Safety, and to the several Commanding Officers of the Continental Troops; that it be proclaimed in each of the *United States*, and at the head of the Army."

On the fifth of July, Hancock, President of Congress, transmitted copies of the Broadside to their appointed destinations to be read and published throughout the United States. A copy of the Broadside was also wafered in the blank space left for it in the rough Journal of Congress.

John Nixon, on the eighth of July, 1776, read the "Declaration" from a "Broadside" copy in the State House yard at Philadelphia.

[illegible] the disposition to believe too [illegible] it has begotten an incredulity [illegible] character in danger from any [illegible] these considerations will [illegible] respect you and myself, [illegible] I shall always be better [illegible] that compli- [illegible] to me. [illegible] of great [illegible] As [illegible] place [illegible] and [illegible] new [illegible] I received this [illegible] hand it to General [illegible]

[illegible] 13th, but there is a [illegible] prevent it till the [illegible] probable. Accept [illegible]

the gross offenders, unless it be visible that the principal will otherwise escape. I send you an affidavit of importance received last night. If General Wilkinson gets on in time, I expect he will bring Dunbaugh on with him. At any rate it may be a ground for an arrest and commitment for treason. Accept my friendly salutations, and assurances of great esteem and respect.

TO G. C. DE LA COSTE.

WASHINGTON, May 24, 1807.

SIR,—I received, in due time, your favor of April 10th, enclosing a scheme and subscription for the establishment of a museum of natural history, at Williamsburg, by private contributions. Nobody can desire more ardently than myself, to concur in whatever may promote useful science, and I view no science with more partiality than natural history. But I have ever believed that in this, as in most other cases, abortive attempts retard rather than promote this object. To be really useful we must keep pace with the state of society, and not dishearten it by attempts at what its population, means, or occupations will fail in attempting. In the particular enterprises for museums, we have seen the populous and wealthy cities of Boston and New York unable to found or maintain such an institution. The feeble condition of that in each of these places sufficiently proves this. In Philadelphia alone,

has this attempt succeeded to a good degree? It has been owing there to a measure of zeal and perseverance in an individual rarely equalled; to a population, crowded, wealthy, and more than usually addicted to the pursuit of knowledge. And, with all this, the institution does not maintain itself. The proprietor has been obliged to return to the practice of his original profession to help it on. I know, indeed, that there are many individuals in Williamsburg, and its vicinity, who have already attained a high degree of science, and many zealously pursuing it. But after viewing all circumstances there as favorably as the most sanguine of us could wish, I cannot find in them a rational ground for expecting success in an undertaking to which the other positions have been found unequal. I sincerely wish I may be mistaken, and that the success which your zeal I am sure will merit, may be equal to your wishes, as well as ours. But, for the present, I would rather reserve myself till its prospects can be more favorably estimated; because the aid we would be disposed to give to a promising enterprise, would be very different to one we might offer to a desperate one. Although less sanguine on this particular subject, I do entire justice to the zeal for the promotion of science, which has excited your effort, and shall see it with uncommon pleasure surmounting the present difficulties, or engaged in other pursuits which may reward it with better success. Be assured that no one is more sincere in

wishing it, and accept my salutations, and assurances of great respect and consideration.

TO DE WITT CLINTON.

WASHINGTON, May 24, 1807.

Th. Jefferson presents his compliments to Mr. Clinton, and his thanks for the pamphlet sent him. He recollects the having read it at the time with a due sense of his obligation to the author, whose name was surmised, though not absolutely known, and a conviction that he had made the most of his matter. The ground of defence might have been solidly aided by the assurance (which is the absolute fact) that the whole story fathered on Mazzei, was an unfounded falsehood. Dr. Linn, as aware of that, takes care to quote it from a dead man, who is made to quote from one residing in the remotest part of Europe. Equally false was Dr. Linn's other story about Bishop Madison's lawn sleeves, as the Bishop can testify, for certainly Th. J. never saw him in lawn sleeves. Had the Doctor ventured to name time, place, and person, for his third lie, (the government without religion,) it is probable he might have been convicted on that also. But these are slander and slanderers, whom Th. Jefferson has thought it best to leave to the scourge of public opinion. He salutes Mr. Clinton with esteem and respect.

TO GEORGE HAY.

WASHINGTON, May 26, 1807.

DEAR SIR,—We are this moment informed by a person who left Richmond since the 22d, that the prosecution of Burr had begun under very inauspicious symptoms by the challenging and rejecting two members of the grand jury, as far above all exception as any two persons in the United States. I suppose our informant is inaccurate in his terms, and has mistaken an objection by the criminal and voluntary retirement of the gentlemen with the permission of the court, for a challenge and rejection, which, in the case of a grand jury, is impossible. Be this as it may, and the result before the formal tribunal, fair or false, it becomes our duty to provide that full testimony shall be laid before the Legislature, and through them the public. For this purpose, it is necessary that we be furnished with the testimony of every person who shall be with you as a witness. If the grand jury find a bill, the evidence given in court, taken as verbatim as possible, will be what we desire. If there be no bill, and consequently no examination before court, then I must beseech you to have every man privately examined by way of affidavit, and to furnish me with the whole testimony. In the former case, the person taking down the testimony as orally delivered in court, should make oath that he believes it to be substantially correct. In the latter case, the

certificate of the magistrate administering the oath, and signature of the party, will be proper; and this should be done before they receive their compensation, that they may not evade examination. Go into any expense necessary for this purpose, and meet it from the funds provided by the Attorney General for the other expenses. He is not here, or this request would have gone from him directly. I salute you with friendship and respect.

TO GEORGE HAY.

WASHINGTON, May 28, 1807.

DEAR SIR,—I have this moment received your letter of the 25th, and hasten to answer it. If the grand jury do not find a bill against Burr, as there will be no examination before a petty jury, Bollman's pardon need not in that case to be delivered; but if a bill be found, and a trial had, his evidence is deemed entirely essential, and in that case his pardon is to be produced before he goes to the book. In my letter of the day before yesterday, I enclosed you Bollman's written communication to me, and observed you might go so far, if he prevaricated, as to ask him whether he did not say so and so to Mr. Madison and myself. On further reflection I think you may go farther, if he prevaricates grossly, and show the paper to him, and ask if it is not his handwriting, and confront him by its contents. I enclose you some other letters of Bollman to me on former

occasions, to prove by similitude of hand that the paper I enclosed on the 26th was of his handwriting. I salute you with esteem and respect.

TO COLONEL JAMES MONROE.

WASHINGTON, May 29, 1807.

DEAR SIR,—I have not written to you by Mr. Purviance, because he can give you *viva voce* all the details of our affairs here, with a minuteness beyond the bounds of a letter, and because, indeed, I am not certain this letter will find you in England. The sole object in writing it, is to add another little commission to the one I had formerly troubled you with. It is to procure for me "a machine for ascertaining the resistance of ploughs or carriages, invented and sold by Winlaw, in Margaret street, Cavendish Square." It will cost, I believe, four or five guineas, which shall be replaced here instanter on your arrival. I had intended to have written you to counteract the wicked efforts which the federal papers are making to sow tares between you and me, as if I were lending a hand to measures unfriendly to any views which our country might entertain respecting you. But I have not done it, because I have before assured you that a sense of duty, as well as of delicacy, would prevent me from ever expressing a sentiment on the subject, and that I think you know me well enough to be assured I shall conscientiously observe the line of conduct I

profess. I shall receive you on your return with the warm affection I have ever entertained for you, and be gratified if I can in any way avail the public of your services. God bless you and yours.

TO M. SILVESTRE, SECRETAIRE DE LA SOCIETÉ D'AGRICULTURE DE PARIS.

WASHINGTON, May 29, 1807.

SIR,—I have received, through the care of General Armstrong, the medal of gold by which the society of agriculture at Paris have been pleased to mark their approbation of the form of a mould-board which I had proposed; also the four first volumes of their memoirs, and the information that they had honored me with the title of foreign associate to their society. I receive with great thankfulness these testimonies of their favor, and should be happy to merit them by greater services. Attached to agriculture by inclination, as well as by a conviction that it is the most useful of the occupations of man, my course of life has not permitted me to add to its theories the lessons of practice. I fear, therefore, I shall be to them but an unprofitable member, and shall have little to offer of myself worthy their acceptance. Should the labors of others, however, on this side the water, produce anything which may advance the objects of their institution, I shall with great pleasure become the instrument of its communication, and shall, more-

over, execute with zeal any orders of the society in this portion of the globe. I pray you to express to them my sensibility for the distinctions they have been pleased to confer on me, and to accept yourself the assurances of my high consideration and respect.

TO GEORGE HAY.

WASHINGTON, June 2, 1807.

DEAR SIR,—While Burr's case is depending before the court, I will trouble you, from time to time, with what occurs to me. I observe that the case of Marbury *v.* Madison has been cited, and I think it material to stop at the threshold the citing that case as authority, and to have it denied to be law. 1. Because the judges, in the outset, disclaimed all cognizance of the case, although they then went on to say what would have been their opinion, had they had cognizance of it. This, then, was confessedly an extrajudicial opinion, and, as such, of no authority. 2. Because, had it been judicially pronounced, it would have been against law; for to a commission, a deed, a bond, *delivery* is essential to give validity. Until, therefore, the commission is delivered out of the hands of the executive and his agents, it is not his deed. He may withhold or cancel it at pleasure, as he might his private deed in the same situation. The Constitution intended that the three great branches of the government should be co-ordinate, and independent of each other. As to acts, there-

fore, which are to be done by either, it has given no control to another branch. A judge, I presume, cannot sit on a bench without a commission, or a record of a commission; and the Constitution having given to the judiciary branch no means of compelling the executive either to *deliver* a commission, or to make a record of it, shows it did not intend to give the judiciary that control over the executive, but that it should remain in the power of the latter to do it or not. Where different branches have to act in their respective lines, finally and without appeal, under any law, they may give to it different and opposite constructions. Thus, in the case of William Smith, the House of Representatives determined he was a citizen; and in the case of William Duane, (precisely the same in every material circumstance,) the judges determined he was no citizen. In the cases of Callendar and others, the judges determined the sedition act was valid under the Constitution, and exercised their regular powers of sentencing them to fine and imprisonment. But the executive determined that the sedition act was a nullity under the Constitution, and exercised his regular power of prohibiting the execution of the sentence, or rather of executing the real law, which protected the acts of the defendants. From these different constructions of the same act by different branches, less mischief arises than from giving to any one of them a control over the others. The executive and Senate act on the construction, that

until delivery from the executive department, a commission is in their possession, and within their rightful power; and in cases of commissions not revocable at will, where, after the Senate's approbation and the President's signing and sealing, new information of the unfitness of the person has come to hand before the *delivery* of the commission, new nominations have been made and approved, and new commissions have issued.

On this construction I have hitherto acted; on this I shall ever act, and maintain it with the powers of the government, against any control which may be attempted by the judges, in subversion of the independence of the executive and Senate within their peculiar department. I presume, therefore, that in a case where our decision is by the Constitution the supreme one, and that which can be carried into effect, it is the constitutionally authoritative one, and that that by the judges was *coram non judice*, and unauthoritative, because it cannot be carried into effect. I have long wished for a proper occasion to have the gratuitous opinion in Marbury *v.* Madison brought before the public, and denounced as not law; and I think the present a fortunate one, because it occupies such a place in the public attention. I should be glad, therefore, if, in noticing that case, you could take occasion to express the determination of the executive, that the doctrines of that case were given extrajudicially and against law, and that their reverse will be the rule of action

with the executive. If this opinion should not be your own, I would wish it to be expressed merely as that of the executive. If it is your own also, you would of course give to the arguments such a development as a case, incidental only, might render proper. I salute you with friendship and respect.

TO ALBERT GALLATIN.

June 3, 1807.

I gave you, some time ago, a project of a more equal tariff on wines than that which now exists. But in that I yielded considerably to the faulty classification of them in our law. I have now formed one with attention, and according to the best information I possess, classing them more rigorously. I am persuaded that were the duty on cheap wines put on the same ratio with the dear, it would wonderfully enlarge the field of those who use wine, to the expulsion of whiskey. The introduction of a very cheap wine (St. George) into my neighborhood, within two years past, has quadrupled in that time the number of those who keep wine, and will ere long increase them tenfold. This would be a great gain to the treasury, and to the sobriety of our country. I will here add my tariff (*see opposite page,*) wherein you will be able to choose any rate of duty you please, and to decide whether it will not, on a fit occasion, be proper for legislative attention. Affectionate salutations.

	Cost per gallon.	15 pr. cent.	20 pr. cent.	25 pr. cent., being the average of present duties.	30 pr. cent.	35 pr. cent.				
							Present duty.			*Per cent.*
Tokay, Cape, Malmesey, Hock	$4 00	$0 60	$0 80	$1 00	$1 20	$1 40	Tokay,	45 cents,	which is	11¼
							Malmesey,	58 "	"	14½
							Hock,	35 "	"	25
Champagne, Burgundy, Claret,[1] Hermitage	2 75	41¼	55	68¾	82½	96¼	Champagne, Burgundy,	45 "	"	16½
							Claret, Hermitage,	35 "	"	12½
London particular Maderia	2 20	33	44	55	66	77		58 "	"	26½
All other Madeira	1 80	27	36	45	54	63		50 "	"	27½
Pacharetti, Sherry	1 50	22½	30	37½	45	52½	Pacharetti,	23 "	"	15
							Sherry,	40 "	"	26½
[2] The wines of Medoc and Grave not before mentioned, those of Palus, Coterotie, Condrieu, Moselle	1 25	18¾	25	31¼	37½	43¾		35 "	"	28
St. Lucar and all of Portugal	80	12	16	20	24	28	St. Lucar,	40 "	"	50
							Other Spanish,	23 "	"	28¾
Sicily, Teneriffe, Fayal, Malaga, St. George and other western islands	67	10	13	16¾	20	23	Sicily,	23 "	"	34
							Teneriffe, etc.,	28 "	"	41
All other wines							in bottles,	35	often 400 per cent.	
							in casks,	23		

[1] The term Claret should be abolished, because unknown in the country where it is made, and because indefinite here. The four crops should be enumerated here instead of Claret, and all other wines to which that appellation has been applied, should fall into the ad valorem class. The four crops are Lafitte, Latour and Margaux, in Medoc, and Hautbrion, in Grave.

[2] Blanquefort, Calon, Leoville, Cantenac, etc., are wines of Medoc. Barsac, Sauterne, Beaume, Preignac, St. Bris, Carbonien, Langon, Podensac, etc., are of Grave. All these are of the second order, being next after the four crops.

TO GEORGE HAY.

WASHINGTON, June 5, 1807.

DEAR SIR,—Your favor of the 31st instant has been received, and I think it will be fortunate if any circumstance should produce a discharge of the present scanty grand jury, and a future summons of a fuller; though the same views of protecting the offender may again reduce the number to sixteen, in order to lessen the chance of getting twelve to concur. It is understood, that wherever Burr met with subjects who did not choose to embark in his projects, unless approved by their government, he asserted that he had that approbation. Most of them took his word for it, but it is said that with those who would not, the following stratagem was practised. A forged letter, purporting to be from General Dearborn, was made to express his approbation, and to say that I was absent at Monticello, but that there was no doubt that, on my return, my approbation of his enterprises would be given. This letter was spread open on his table, so as to invite the eye of whoever entered his room, and he contrived occasions of sending up into his room those whom he wished to become witnesses of his acting under sanction. By this means he avoided committing himself to any liability to prosecution for forgery, and gave another proof of being a great man in little things, while he is really small in great ones. I must add General Dearborn's declaration,

that he never wrote a letter to Burr in his life, except that when here, once in a winter, he usually wrote him a billet of invitation to dine. The only object of sending you the enclosed letters is to possess you of the fact, that you may know how to pursue it, if any of your witnesses should know anything of it. My intention in writing to you several times, has been to convey facts or observations occurring in the absence of the Attorney General, and not to make to the dreadful drudgery you are going through, the unnecessary addition of writing me letters in answer, which I beg you to relieve yourself from, except when some necessity calls for it. I salute you with friendship and respect.

TO ISAAC WEAVER, JR.

WASHINGTON, June 7, 1807.

SIR,—Your favor of March 30th never reached my hands till May 16th. The friendly views it expresses of my conduct in general give me great satisfaction. For these testimonies of the approbation of my fellow citizens, I know that I am indebted more to their indulgent dispositions than to any peculiar claims of my own. For it can give no great claims to any one to manage honestly and disinterestedly the concerns of others trusted to him. Abundant examples of this are always under our eye. That I should lay down my charge at a proper season, is as much a duty as to have borne it faithfully.

Being very sensible of bodily decays from advancing years, I ought not to doubt their effect on the mental faculties. To do so would evince either great self-love or little observation of what passes under our eyes; and I shall be fortunate if I am the first to perceive and to obey this admonition of nature. That there are in our country a great number of characters entirely equal to the management of its affairs, cannot be doubted. Many of them, indeed, have not had opportunities of making themselves known to their fellow citizens; but many have had, and the only difficulty will be to choose among them. These changes are necessary, too, for the security of republican government. If some period be not fixed, either by the Constitution or by practice, to the services of the First Magistrate, his office, though nominally elective, will, in fact, be for life; and that will soon degenerate into an inheritance. Among the felicities which have attended my administration, I am most thankful for having been able to procure coadjutors so able, so disinterested, and so harmonious. Scarcely ever has a difference of opinion appeared among us which has not, by candid consultation, been amalgamated into something which all approved; and never one which in the slightest degree affected our personal attachments. The proof we have lately seen of the innate strength of our government, is one of the most remarkable which history has recorded, and shows that we are a people capable of self-government, and worthy

of it. The moment that a proclamation apprised our citizens that there were traitors among them, and what was their object, they rose upon them wherever they lurked, and crushed by their own strength what would have produced the march of armies and civil war in any other country. The government which can wield the arm of the people must be the strongest possible. I thank you for the interest you are so kind as to express in my health and welfare, and return you the same good wishes with my salutations, and assurance of respect.

TO DOCTOR HORATIO TURPIN.

WASHINGTON, June 10, 1807.

DEAR SIR,—Your favor of June the 1st has been received. To a mind like yours, capable in any question of abstracting it from its relation to yourself, I may safely hazard explanations, which I have generally avoided to others on questions of appointment. Bringing into office no desires of making it subservient to the advancement of my own private interests, it has been no sacrifice, by postponing them, to strengthen the confidence of my fellow-citizens. But I have not felt equal indifference towards excluding merit from office, merely because it was related to me. However, I have thought it my duty so to do, that my constituents may be satisfied, that, in selecting persons for the management of their affairs, I am influenced by neither

personal nor family interests, and especially, that the field of public office will not be perverted by me into a family property. On this subject, I had the benefit of useful lessons from my predecessors, had I needed them, marking what was to be imitated and what avoided. But in truth, the nature of our government is lesson enough. Its energy depending mainly on the confidence of the people in the chief magistrate, makes it his duty to spare nothing which can strengthen him with that confidence.

* * * * * * * * *

Accept assurances of my constant friendship and respect.

TO JOHN NORVELL.

WASHINGTON, June 11, 1807.

SIR,—Your letter of May the 9th has been duly received. The subject it proposes would require time and space for even moderate development. My occupations limit me to a very short notice of them. I think there does not exist a good elementary work on the organization of society into civil government: I mean a work which presents in one full and comprehensive view the system of principles on which such an organization should be founded, according to the rights of nature. For want of a single work of that character, I should recommend Locke on Government, Sidney, Priestley's Essay on the First Principles of Government,

Chipman's Principles of Government, and the Federalist. Adding, perhaps, Beccaria on crimes and punishments, because of the demonstrative manner in which he has treated that branch of the subject. If your views of political inquiry go further, to the subjects of money and commerce, Smith's Wealth of Nations is the best book to be read, unless Say's Political Economy can be had, which treats the same subjects on the same principles, but in a shorter compass and more lucid manner. But I believe this work has not been translated into our language.

History, in general, only informs us what bad government is. But as we have employed some of the best materials of the British constitution in the construction of our own government, a knowledge of British history becomes useful to the American politician. There is, however, no general history of that country which can be recommended. The elegant one of Hume seems intended to disguise and discredit the good principles of the government, and is so plausible and pleasing in its style and manner, as to instil its errors and heresies insensibly into the minds of unwary readers. Baxter has performed a good operation on it. He has taken the text of Hume as his ground work, abridging it by the omission of some details of little interest, and wherever he has found him endeavoring to mislead, by either the suppression of a truth or by giving it a false coloring, he has changed the text

to what it should be, so that we may properly call it Hume's history republicanised. He has moreover continued the history (but indifferently) from where Hume left it, to the year 1800. The work is not popular in England, because it is republican; and but a few copies have ever reached America. It is a single quarto volume. Adding to this Ludlow's Memoirs, Mrs. M'Cauley's and Belknap's histories, a sufficient view will be presented of the free principles of the English constitution.

To your request of my opinion of the manner in which a newspaper should be conducted, so as to be most useful, I should answer, "by restraining it to true facts and sound principles only." Yet I fear such a paper would find few subscribers. It is a melancholy truth, that a suppression of the press could not more completely deprive the nation of its benefits, than is done by its abandoned prostitution to falsehood. Nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle. The real extent of this state of misinformation is known only to those who are in situations to confront facts within their knowledge with the lies of the day. I really look with commiseration over the great body of my fellow citizens, who, reading newspapers, live and die in the belief, that they have known something of what has been passing in the world in their time; whereas the accounts they have read in newspapers are just as true a history

of any other period of the world as of the present, except that the real names of the day are affixed to their fables. General facts may indeed be collected from them, such as that Europe is now at war, that Bonaparte has been a successful warrior, that he has subjected a great portion of Europe to his will, etc., etc.; but no details can be relied on. I will add, that the man who never looks into a newspaper is better informed than he who reads them; inasmuch as he who knows nothing is nearer to truth than he whose mind is filled with falsehoods and errors. He who reads nothing will still learn the great facts, and the details are all false.

Perhaps an editor might begin a reformation in some such way as this. Divide his paper into four chapters, heading the 1st, Truths. 2d, Probabilities. 3d, Possibilities. 4th, Lies. The first chapter would be very short, as it would contain little more than authentic papers, and information from such sources, as the editor would be willing to risk his own reputation for their truth. The second would contain what, from a mature consideration of all circumstances, his judgment should conclude to be probably true. This, however, should rather contain too little than too much. The third and fourth should be professedly for those readers who would rather have lies for their money than the blank paper they would occupy.

Such an editor too, would have to set his face against the demoralizing practice of feeding the

public mind habitually on slander, and the depravity of taste which this nauseous aliment induces. Defamation is becoming a necessary of life; insomuch, that a dish of tea in the morning or evening cannot be digested without this stimulant. Even those who do not believe these abominations, still read them with complaisance to their auditors, and instead of the abhorrence and indignation which should fill a virtuous mind, betray a secret pleasure in the possibility that some may believe them, though they do not themselves. It seems to escape them, that it is not he who prints, but he who pays for printing a slander, who is its real author.

These thoughts on the subjects of your letter are hazarded at your request. Repeated instances of the publication of what has not been intended for the public eye, and the malignity with which political enemies torture every sentence from me into meanings imagined by their own wickedness only, justify my expressing a solicitude, that this hasty communication may in nowise be permitted to find its way into the public papers. Not fearing these political bull-dogs, I yet avoid putting myself in the way of being baited by them, and do not wish to volunteer away that portion of tranquillity, which a firm execution of my duties will permit me to enjoy.

I tender you my salutations, and best wishes for your success.

TO WILLIAM SHORT.

WASHINGTON, June 12, 1807.

DEAR SIR,— * * * * * * * The proposition in your letter of May the 16th, of adding an umpire to our discordant negotiators at Paris, struck me favorably on reading it, and reflection afterwards strengthened my first impressions. I made it therefore a subject of consultation with my coadjutors, as is our usage. For our government, although in theory subject to be directed by the unadvised will of the President, is, and from its origin has been, a very different thing in practice. The minor business in each department is done by the Head of the department, on consultation with the President alone. But all matters of importance or difficulty are submitted to all the Heads of departments composing the cabinet; sometimes by the President's consulting them separately and successively, as they happen to call on him; but in the greatest cases, by calling them together, discussing the subject maturely, and finally taking the vote, in which the President counts himself but as one. So that in all important cases the executive is, in fact, a directory, which certainly the President might control; but of this there was never an example, either in the first or the present administration. I have heard, indeed, that my predecessor sometimes decided things against his council. * * * * I adopted in the present case the mode of separate

consultation. The opinion of each member, taken separately, was that the addition of a third negotiator was not at this time advisable. For the present therefore, the question must rest. Mr. Bowdoin, we know, is anxious to come home, and is detained only by the delicacy of not deserting his post. In the existing temper between him and his colleague, it would certainly be better that one of them should make an opening for re-composing the commission more harmoniously.

I salute you with affection and respect.

TO GEORGE HAY.

WASHINGTON, June 12, 1807.

DEAR SIR,—Your letter of the 9th is this moment received. Reserving the necessary right of the President of the United States to decide, independently of all other authority, what papers, coming to him as President, the public interests permit to be communicated, and to whom, I assure you of my readiness under that restriction, voluntarily to furnish on all occasions, whatever the purposes of justice may require. But the letter of General Wilkinson, of October the 21st, requested for the defence of Colonel Burr, with every other paper relating to the charges against him, which were in my possession when the Attorney General went on to Richmond in March, I then delivered to him; and I have always taken for granted he left the whole with you. If he

did, and the bundle retains the order in which I had arranged it, you will readily find the letter desired, under the date of its receipt, which was November the 25th; but lest the Attorney General should not have left those papers with you, I this day write to him to forward this one by post. An uncertainty whether he is at Philadelphia, Wilmington, or New Castle, may produce delay in his receiving my letter, of which it is proper you should be apprised. But, as I do not recollect the whole contents of that letter, I must beg leave to devolve on you the exercise of that discretion which it would be my right and duty to exercise, by withholding the communication of any parts of the letter, which are not directly material for the purposes of justice.

With this application, which is specific, a prompt compliance is practicable. But when the request goes to "copies of the orders issued in relation to Colonel Burr, to the officers at Orleans, Natchez, etc., by the Secretaries of the War and Navy Departments," it seems to cover a correspondence of many months, with such a variety of officers, civil and military, all over the United States, as would amount to the laying open the whole executive books. I have desired the Secretary at War to examine his official communications; and on a view of these, we may be able to judge what can and ought to be done, towards a compliance with the request. If the defendant alleges that there was any particular order, which, as a cause, produced any particular act on his part,

then he must know what this order was, can specify it, and a prompt answer can be given. If the *object* had been specified, we might then have some guide for our conjectures, as to what part of the executive records might be useful to him; but, with a perfect willingness to do what is right, we are without the indications which may enable us to do it. If the researches of the Secretary at War should produce anything proper for communication, and pertinent to any point we can conceive in the defence before the court, it shall be forwarded to you.

I salute you with respect and esteem.

TO GEORGE HAY.

WASHINGTON, June 17, 1807.

SIR,—In answering your letter of the 9th, which desired a communication of one to me from General Wilkinson, specified by its date, I informed you in mine of the 12th that I had delivered it, with all other papers respecting the charges against Aaron Burr, to the Attorney General, when he went to Richmond; that I had supposed he had left them in your possession, but would immediately write to him, if he had not, to forward that particular letter without delay. I wrote to him accordingly on the same day, but having no answer, I know not whether he has forwarded the letter. I stated in the same letter, that I had desired the Secretary at War to examine his office, in order to comply with your

further request, to furnish copies of the orders which had been given respecting Aaron Burr and his property; and in a subsequent letter of the same day, I forwarded to you copies of two letters from the Secretary at War, which appeared to be within the description expressed in your letter. The order from the Secretary of the Navy, you said, you were in possession of. The receipt of these papers had, I presume, so far anticipated, and others this day forwarded will have substantially fulfilled the object of a subpœna from the District Court of Richmond, requiring that those officers and myself should attend the Court in Richmond, with the letter of General Wilkinson, the answer to that letter, and the orders of the Departments of War and the Navy, therein generally described. No answer to General Wilkinson's letter, other than a mere acknowledgment of its receipt, in a letter written for a different purpose, was ever written by myself or any other. To these communications of papers, I will add, that if the defendant supposes there are any facts within the knowledge of the Heads of departments, or of myself, which can be useful for his defence, from a desire of doing anything our situation will permit in furtherance of justice, we shall be ready to give him the benefit of it, by way of deposition, through any persons whom the Court shall authorize to take our testimony at this place. I know, indeed, that this cannot be done but by consent of parties; and I therefore authorize you to give consent on the part

of the United States. Mr. Burr's consent will be given of course, if he supposes the testimony useful.

As to our personal attendance at Richmond, I am persuaded the Court is sensible, that paramount duties to the nation at large control the obligation of compliance with their summons in this case; as they would, should we receive a similar one, to attend the trials of Blennerhasset and others, in the Mississippi territory, those instituted at St. Louis and other places on the western waters, or at any place, other than the seat of government. To comply with such calls would leave the nation without an executive branch, whose agency, nevertheless, is understood to be so constantly necessary, that it is the sole branch which the constitution requires to be always in function. It could not then mean that it should be withdrawn from its station by any co-ordinate authority.

With respect to papers, there is certainly a public and a private side to our offices. To the former belong grants of land, patents for inventions, certain commissions, proclamations, and other papers patent in their nature. To the other belong mere executive proceedings. All nations have found it necessary, that for the advantageous conduct of their affairs, some of these proceedings, at least, should remain known to their executive functionary only. He, of course, from the nature of the case, must be the sole judge of which of them the public interests will permit publication. Hence, under our Constitution, in

requests of papers, from the legislative to the executive branch, an exception is carefully expressed, as to those which he may deem the public welfare may require not to be disclosed; as you will see in the enclosed resolution of the House of Representatives, which produced the message of January 22d, respecting this case. The respect mutually due between the constituted authorities, in their official intercourse, as well as sincere dispositions to do for every one what is just, will always insure from the executive, in exercising the duty of discrimination confided to him, the same candor and integrity to which the nation has in like manner trusted in the disposal of its judiciary authorities. Considering you as the organ for communicating these sentiments to the Court, I address them to you for that purpose, and salute you with esteem and respect.

TO GEORGE HAY.

WASHINGTON, June 19, 1807.

DEAR SIR,—Yours of the 17th was received last night. Three blank pardons had been (as I expect) made up and forwarded by the mail of yesterday, and I have desired three others to go by that of this evening. You ask what is to be done if Bollman finally rejects his pardon, and the Judge decides it to have no effect? Move to commit him immediately for treason or misdemeanor, as you think the evidence will support; let the Court decide where he shall

be sent for trial; and on application, I will have the marshal aided in his transportation, with the executive means. And we think it proper, further, that when Burr shall have been convicted of either treason or misdemeanor, you should immediately have committed all those persons against whom you should find evidence sufficient, whose agency has been so prominent as to mark them as proper objects of punishment, and especially where their boldness has betrayed an inveteracy of criminal disposition. As to obscure offenders and repenting ones, let them lie for consideration.

I enclose you the copy of a letter received last night, and giving singular information. I have inquired into the character of Graybell. He was an old revolutionary captain, is now a flour merchant in Baltimore, of the most respectable character, and whose word would be taken as implicitly as any man's for whatever he affirms. The letter writer, also, is a man of entire respectability. I am well informed, that for more than a twelvemonth it has been believed in Baltimore, generally, that Burr was engaged in some criminal enterprise, and that Luther Martin knew all about it. We think you should immediately despatch a subpœna for Graybell; and while that is on the road, you will have time to consider in what form you will use his testimony; *e. g.*, shall Luther Martin be summoned as a witness against Burr, and Graybell held ready to confront him? It may be doubted whether we could

examine a witness to discredit our own witness. Besides, the lawyers say that they are privileged from being forced to breaches of confidence, and that no others are. Shall we move to commit Luther Martin, as *particeps criminis* with Burr? Graybell will fix upon him misprision of treason at least. And at any rate, his evidence will put down this unprincipled and impudent federal bull-dog, and add another proof that the most clamorous defenders of Burr are all his accomplices. It will explain why Luther Martin flew so hastily to the "aid of his honorable friend," abandoning his clients and their property during a session of a principal court in Maryland, now filled, as I am told, with the clamors and ruin of his clients. I believe we shall send on Latrobe as a witness. He will prove that Aaron Burr endeavored to get him to engage several thousand men, chiefly Irish emigrants, whom he had been in the habit of employing in the works he directs, under pretence of a canal opposite Louisville, or of the Washita, in which, had he succeeded, he could with that force alone have carried everything before him, and would not have been where he now is. He knows, too, of certain meetings of Burr, Bollman, Yrujo, and one other whom we have never named yet, but have him not the less in our view.

I salute you with friendship and respect.

P. S. Will you send us half a dozen blank subpœnas?

Since writing the within I have had a conversation with Latrobe. He says it was five hundred men he was desired to engage. The pretexts were, to work on the Ohio canal, and be paid in Washita lands. Your witnesses will some of them prove that Burr had no interest in the Ohio canal, and that consequently this was a mere pretext to cover the real object from the men themselves, and all others. Latrobe will set out in the stage of to-morrow evening, and be with you Monday evening.

TO GOVERNOR JAMES SULLIVAN.

WASHINGTON, June 19, 1807.

DEAR SIR,—In acknowledging the receipt of your favor of the 3d instant, I avail myself of the occasion it offers of tendering to yourself, to Mr. Lincoln and to your State, my sincere congratulations on the late happy event of the election of a republican executive to preside over its councils. The harmony it has introduced between the legislative and executive branches, between the people and both of them, and between all and the General Government, are so many steps towards securing that union of action and effort in all its parts, without which no nation can be happy or safe. The just respect with which all the States have ever looked to Massachusetts, could leave none of them without anxiety, while she was in a state of alienation from her family and friends. Your opinion of the propriety and advantage of a more

intimate correspondence between the executives of the several States, and that of the Union, as a central point, is precisely that which I have ever entertained; and on coming into office I felt the advantages which would result from that harmony. I had it even in contemplation, after the annual recommendation to Congress of those measures called for by the times, which the Constitution had placed under their power, to make communications in like manner to the executives of the States, as to any parts of them to which the legislatures might be alone competent. For many are the exercises of power reserved to the States, wherein an uniformity of proceeding would be advantageous to all. Such are quarantines, health laws, regulations of the press, banking institutions, training militia, etc., etc. But you know what was the state of the several governments when I came into office. That a great proportion of them were federal, and would have been delighted with such opportunities of proclaiming their contempt, and of opposing republican men and measures. Opportunities so furnished and used by some of the State Governments, would have produced an ill effect, and would have insured the failure of the object of uniform proceeding. If it could be ventured even now (Connecticut and Delaware being still hostile) it must be on some greater occasion than is likely to arise within my time. I look to it, therefore, as a course which will probably be to be left to the consideration of my successor.

I consider, with you, the federalists as completely vanquished, and never more to take the field under their own banners. They will now reserve themselves to profit by the schisms among republicans, and to earn favors from minorities, whom they will enable to triumph over their more numerous antagonists. So long as republican minorities barely accept their votes, no great harm will be done; because it will only place in power one shade of republicanism, instead of another. But when they purchase the votes of the federalists, by giving them a participation of office, trust and power, it is a proof that anti-monarchism is not their strongest passion. I do not think that the republican minority in Pennsylvania has fallen into this heresy, nor that there are in your State materials of which a minority can be made who will fall into it.

With respect to the tour my friends to the north have proposed that I should make in that quarter, I have not made up a final opinion. The course of life which General Washington had run, civil and military, the services he had rendered, and the space he, therefore, occupied in the affections of his fellow citizens, take from his examples the weight of precedent for others, because no others can arrogate to themselves the claims which he had on the public homage. To myself, therefore, it comes as a new question, to be viewed under all the phases it may present. I confess that I am not reconciled to the idea of a chief magistrate parading himself through

the several States, as an object of public gaze, and in quest of an applause which, to be valuable, should be purely voluntary. I had rather acquire silent good-will by a faithful discharge of my duties, than owe expressions of it to my putting myself in the way of receiving them. Were I to make such a tour to Portsmouth or Portland, I must do it to Savannah, perhaps to Orleans and Frankfort. As I have never yet seen the time when the public business would have permitted me to be so long in a situation in which I could not carry it on, so I have no reason to expect that such a time will come while I remain in office. A journey to Boston or Portsmouth, after I shall be a private citizen, would much better harmonize with my feelings, as well as duties; and, founded in curiosity, would give no claims to an extension of it. I should see my friends too, more at our mutual ease, and be left more exclusively to their society. However, I end as I began, by declaring I have made up no opinion on the subject, and that I reserve it as a question for future consideration and advice.

In the meantime, and at all times, I salute you with great respect and esteem.

TO GEORGE HAY.

WASHINGTON, June 20, 1807.

DEAR SIR,—Mr. Latrobe now comes on as a witness against Burr. His presence here is with great

inconvenience dispensed with, as one hundred and fifty workmen require his constant directions on various public works of pressing importance. I hope you will permit him to come away as soon as possible. How far his testimony will be important as to the prisoner, I know not; but I am desirous that those meetings of Yrujo with Burr and his principal accomplices, should come fully out, and judicially, as they will establish the just complaints we have against his nation.

I did not see till last night the opinion of the Judge on the *subpœna duces tecum* against the President. Considering the question there as *coram non judice*, I did not read his argument with much attention. Yet I saw readily enough, that, as is usual where an opinion is to be supported, right or wrong, he dwells much on smaller objections, and passes over those which are solid. Laying down the position generally, that all persons owe obedience to subpœnas, he admits no exception unless it can be produced in his law books. But if the Constitution enjoins on a particular officer to be always engaged in a particular set of duties imposed on him, does not this supersede the general law, subjecting him to minor duties inconsistent with these? The Constitution enjoins his constant agency in the concerns of six millions of people. Is the law paramount to this, which calls on him on behalf of a single one? Let us apply the Judge's own doctrine to the case of himself and his brethren. The sheriff of Henrico summons him

from the bench, to quell a riot somewhere in his county. The federal judge is, by the general law, a part of the *posse* of the State sheriff. Would the Judge abandon major duties to perform lesser ones? Again; the court of Orleans or Maine commands, by subpœnas, the attendance of all the judges of the Supreme Court. Would they abandon their posts as judges, and the interests of millions committed to them, to serve the purposes of a single individual? The leading principle of our Constitution is the independence of the legislature, executive and judiciary of each other, and none are more jealous of this than the judiciary. But would the executive be independent of the judiciary, if he were subject to the *commands* of the latter, and to imprisonment for disobedience; if the several courts could bandy him from pillar to post, keep him constantly trudging from north to south and east to west, and withdraw him entirely from his constitutional duties? The intention of the Constitution, that each branch should be independent of the others, is further manifested by the means it has furnished to each, to protect itself from enterprises of force attempted on them by the others, and to none has it given more effectual or diversified means than to the executive. Again; because ministers can go into a court in London as witnesses, without interruption to their executive duties, it is inferred that they would go to a court one thousand or one thousand five hundred miles off, and that ours are to be dragged from Maine

to Orleans by every criminal who will swear that their testimony "may be of use to him." The Judge says, "*it is apparent* that the President's duties as chief magistrate do not demand his whole time, and are not unremitting." If he alludes to our annual retirement from the seat of government, during the sickly season, he should be told that such arrangements are made for carrying on the public business, at and between the several stations we take, that it goes on as unremittingly there, as if we were at the seat of government. I pass more hours in public business at Monticello than I do here, every day; and it is much more laborious, because all must be done in writing. Our stations being known, all communications come to them regularly, as to fixed points. It would be very different were we always on the road, or placed in the noisy and crowded taverns where courts are held. Mr. Rodney is expected here every hour, having been kept away by a sick child.

I salute you with friendship and respect.

TO DOCTOR CASPER WISTAR.

WASHINGTON, June 21, 1807.

DEAR SIR,—I have a grandson, the son of Mr. Randolph, now about fifteen years of age, in whose education I take a lively interest. * * * * * * * * * * I am not a friend to placing young men in populous cities, because they

acquire there habits and partialities which do not contribute to the happiness of their after life. But there are particular branches of science, which are not so advantageously taught anywhere else in the United States as in Philadelphia. The garden at the Woodlands for Botany, Mr. Peale's Museum for Natural History, your Medical school for Anatomy, and the able professors in all of them, give advantages not to be found elsewhere. We propose, therefore, to send him to Philadelphia to attend the schools of Botany, Natural History, Anatomy, and perhaps Surgery; but not of Medicine. And why not of Medicine, you will ask? Being led to the subject, I will avail myself of the occasion to express my opinions on that science, and the extent of my medical creed. But, to finish first with respect to my grandson, I will state the favor I ask of you, and which is the object of this letter.

* * * * * * * * *

This subject dismissed, I may now take up that which it led to, and further tax your patience with unlearned views of medicine; which, as in most cases, are, perhaps, the more confident in proportion as they are less enlightened.

We know, from what we see and feel, that the animal body is in its organs and functions subject to derangement, inducing pain, and tending to its destruction. In this disordered state, we observe nature providing for the re-establishment of order, by exciting some salutary evacuation of the morbific

matter, or by some other operation which escapes our imperfect senses and researches. She brings on a crisis, by stools, vomiting, sweat, urine, expectoration, bleeding, etc., which, for the most part, ends in the restoration of healthy action. Experience has taught us, also, that there are certain substances, by which, applied to the living body, internally or externally, we can at will produce these same evacuations, and thus do, in a short time, what nature would do but slowly, and do effectually, what perhaps she would not have strength to accomplish. Where, then, we have seen a disease, characterized by specific signs or phenomena, and relieved by a certain natural evacuation or process, whenever that disease recurs under the same appearances, we may reasonably count on producing a solution of it, by the use of such substances as we have found produce the same evacuation or movement. Thus, fulness of the stomach we can relieve by emetics; diseases of the bowels, by purgatives; inflammatory cases, by bleeding; intermittents, by the Peruvian bark; syphilis, by mercury; watchfulness, by opium; etc. So far, I bow to the utility of medicine. It goes to the well-defined forms of disease, and happily, to those the most frequent. But the disorders of the animal body, and the symptoms indicating them, are as various as the elements of which the body is composed. The combinations, too, of these symptoms are so infinitely diversified, that many associations of them appear too rarely to establish a definite dis-

ease; and to an unknown disease, there cannot be a known remedy. Here then, the judicious, the moral, the humane physician should stop. Having been so often a witness to the salutary efforts which nature makes to re-establish the disordered functions, he should rather trust to their action, than hazard the interruption of that, and a greater derangement of the system, by conjectural experiments on a machine so complicated and so unknown as the human body, and a subject so sacred as human life. Or, if the appearance of doing something be necessary to keep alive the hope and spirits of the patient, it should be of the most innocent character. One of the most successful physicians I have ever known, has assured me, that he used more bread pills, drops of colored water, and powders of hickory ashes, than of all other medicines put together. It was certainly a pious fraud. But the adventurous physician goes on, and substitutes presumption for knowledge. From the scanty field of what is known, he launches into the boundless region of what is unknown. He establishes for his guide some fanciful theory of corpuscular attraction, of chemical agency, of mechanical powers, of stimuli, of irritability accumulated or exhausted, of depletion by the lancet and repletion by mercury, or some other ingenious dream, which lets him into all nature's secrets at short hand. On the principle which he thus assumes, he forms his table of nosology, arrays his diseases into families, and extends his curative treatment, by analogy, to

all the cases he has thus arbitrarily marshalled together. I have lived myself to see the disciples of Hoffman, Boerhaave, Stahl, Cullen, Brown, succeed one another like the shifting figures of a magic lantern, and their fancies, like the dresses of the annual doll-babies from Paris, becoming, from their novelty, the vogue of the day, and yielding to the next novelty their ephemeral favor. The patient, treated on the fashionable theory, sometimes gets well in spite of the medicine. The medicine, therefore, restored him, and the young doctor receives new courage to proceed in his bold experiments on the lives of his fellow-creatures. I believe we may safely affirm, that the inexperienced and presumptuous band of medical tyros let loose upon the world, destroys more of human life in one year, than all the Robinhoods, Cartouches, and Macheaths do in a century. It is in this part of medicine that I wish to see a reform, an abandonment of hypothesis for sober facts, the first degree of value set on clinical observation, and the lowest of visionary theories. I would wish the young practitioner, especially, to have deeply impressed on his mind, the real limits of his art, and that when the state of his patient gets beyond these, his office is to be a watchful, but quiet spectator of the operations of nature, giving them fair play by a well-regulated regimen, and by all the aid they can derive from the excitement of good spirits and hope in the patient. I have no doubt, that some diseases not yet understood may in time

be transferred to the table of those known. But, were I a physician, I would rather leave the transfer to the slow hand of accident, than hasten it by guilty experiments on those who put their lives into my hands. The only sure foundations of medicine are, an intimate knowledge of the human body, and observation on the effects of medicinal substances on that. The anatomical and clinical schools, therefore, are those in which the young physician should be formed. If he enters with innocence that of the theory of medicine, it is scarcely possible he should come out untainted with error. His mind must be strong indeed, if, rising above juvenile credulity, it can maintain a wise infidelity against the authority of his instructors, and the bewitching delusions of their theories. You see that I estimate justly that portion of instruction which our medical students derive from your labors; and, associating with it one of the chairs which my old and able friend, Doctor Rush, so honorably fills, I consider them as the two fundamental pillars of the edifice. Indeed, I have such an opinion of the talents of the professors in the other branches which constitute the school of medicine with you, as to hope and believe, that it is from this side of the Atlantic, that Europe, which has taught us so many other things, will at length be led into sound principles in this branch of science, the most important of all others, being that to which we commit the care of health and life.

I dare say, that by this time, you are sufficiently

sensible that old heads as well as young, may sometimes be charged with ignorance and presumption. The natural course of the human mind is certainly from credulity to scepticism; and this is perhaps the most favorable apology I can make for venturing so far out of my depth, and to one too, to whom the strong as well as the weak points of this science are so familiar. But having stumbled on the subject in my way, I wished to give a confession of my faith to a friend; and the rather, as I had perhaps, at times, to him as well as others, expressed my scepticism in medicine, without defining its extent or foundation. At any rate, it has permitted me, for a moment, to abstract myself from the dry and dreary waste of politics, into which I have been impressed by the times on which I happened, and to indulge in the rich fields of nature, where alone I should have served as a volunteer, if left to my natural inclinations and partialities.

I salute you at all times with affection and respect.

TO GENERAL JAMES WILKINSON.

WASHINGTON, June 21, 1807.

DEAR SIR,—I received last night yours of the 16th, and sincerely congratulate you on your safe arrival at Richmond, against the impudent surmises and hopes of the band of conspirators, who, because they are as yet permitted to walk abroad, and even to be in the character of witnesses until such a measure of

evidence shall be collected as will place them securely at the bar of justice, attempt to cover their crimes under noise and insolence. You have indeed had a fiery trial at New Orleans, but it was soon apparent that the clamorous were only the criminal, endeavoring to turn the public attention from themselves and their leader upon any other object.

Having delivered to the Attorney General all the papers I possessed, respecting Burr and his accomplices, when he went to Richmond, I could only write to him (without knowing whether he was at Philadelphia, Wilmington, or Delaware) for your letter of October 21st, desired by the court. If you have a copy of it, and choose to give it in, it will, I think, have a good effect; for it was my intention, if I should receive it from Mr. Rodney, not to communicate it without your consent, after I learnt your arrival. Mr. Rodney will certainly either bring or send it within the course of a day or two, and it will be instantly forwarded to Mr. Hay. For the same reason, I cannot send the letter of J. P. D., as you propose, to Mr. Hay. I do not recollect what name these initials indicate, but the paper, whatever it is, must be in the hands of Mr. Rodney. Not so as to your letter to Dayton; for as that could be of no use in the prosecution, and was reserved to be forwarded or not, according to circumstances, I retained it in my own hands, and now return it to you. If you think Dayton's son should be summoned, it can only be done from Richmond. We have no subpœnas

here. Within about a month we shall leave this to place ourselves in healthier stations. Before that I trust you will be liberated from your present attendance. It would have been of great importance to have had you here with the Secretary at War, because I am very anxious to begin such works as will render Plaquemine impregnable, and an insuperable barrier to the passage of any force up or down the river. But the Secretary at War sets out on Wednesday, to meet with some other persons at New York, and determine on the works necessary to be undertaken to put that place *hors d'insulte*, and thence he will have to proceed northwardly, I believe. I must ask you, at your leisure, to state to me in writing what you think will answer our views at Plaquemine, within the limits of expense which we can contemplate, and of which you can form a pretty good idea.

Your enemies have filled the public ear with slanders, and your mind with trouble on that account. The establishment of their guilt will let the world see what they ought to think of their clamors; it will dissipate the doubts of those who doubted for want of knowledge, and will place you on higher ground in the public estimate and public confidence. No one is more sensible than myself of the injustice which has been aimed at you. Accept, I pray you, my salutations, and assurances of respect and esteem.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

June 22, 1807.

I suggest to you the following, as some of the ideas which might be expressed by General Wilkinson, in answering Governor Saludo's letter. The introductory and concluding sentiments will best flow from the General's own feelings of the personal standing between him and Governor Saludo:

"On the transfer of Louisiana by France to the United States, according to its boundaries when possessed by France, the government of the United States considered itself entitled as far west as the Rio Norte; but understanding soon after that Spain, on the contrary, claimed eastwardly to the river Sabine, it has carefully abstained from doing any act in the intermediate country, which might disturb the existing state of things, until these opposing claims should be explained and accommodated amicably. But that the Red river and all its waters belonged to France, that she made several settlements on that river, and held them as a part of Louisiana until she delivered that country to Spain, and that Spain, on the contrary, had never made a single settlement on the river, are circumstances so well known, and so susceptible of proof, that it was not supposed that Spain would seriously contest the facts, or the right established by them. Hence our government took measures for exploring that river, as it did that of the Missouri, by sending Mr. Free-

man to proceed from the mouth upwards, and Lieutenant Pike from the source downwards, merely to acquire its geography, and so far enlarge the boundaries of science. For the day must be very distant when it will be either the interest or the wish of the United States to extend settlements into the interior of that country. Lieutenant Pike's orders were accordingly strictly confined to the waters of the Red river, and, from his known observance of orders, I am persuaded that it must have been, as he himself declares, by missing his way that he got on the waters of the Rio Norte, instead of those of the Red river. That your Excellency should excuse this involuntary error, and indeed misfortune, was expected from the liberality of your character; and the kindnesses you have shown him are an honorable example of those offices of good neighborhood on your part, which it will be so agreeable to us to cultivate. Accept my thanks for them, and be assured they shall on all occasions meet a like return. To the same liberal sentiment Lieutenant Pike must appeal for the restoration of his papers. You must have seen in them no trace of unfriendly views towards your nation, no symptoms of any other design than of extending geographical knowledge; and it is not in the nineteenth century, nor through the agency of your Excellency, that science expects to encounter obstacles. The field of knowledge is the common property of all mankind, and any discoveries we can make in it will be for the benefit of yours and of every other nation, as well as our own."

TO GEORGE HAY.

WASHINGTON, June 23, 1807.

DEAR SIR,—In mine of the 12th I informed you I would write to the Attorney General to send on the letter of General Wilkinson of October 21st, referred to in my message of January 22d. He accordingly sent me a letter of that date, but I immediately saw that it was not the one desired, because it had no relation to the facts stated under that reference. I immediately, by letter, apprised him of this circumstance, and being since returned to this place, he yesterday called on me with the whole of the papers remaining in his possession, and he assured me he had examined carefully the whole of them, and that the one referred to in the message was not among them, nor did he know where it would be found. These papers have been recurred to so often, on so many occasions, and some of them delivered out for particular purposes, that we find several missing, without being able to recollect what has been done with them. Some of them were delivered to the Attorney of this district, to be used on the occasions which arose in the District Court, and a part of them were filed, as is said, in their office. The Attorney General will examine their office to-day, and has written to the District Attorney to know whether he retained any of them. No researches shall be spared to recover this letter, and if recovered, it shall immediately be sent on to you. Compiling the message

from a great mass of papers, and pressed in time, the date of a particular paper may have been mistaken, but we all perfectly remember the one referred to in the message, and that its substance is there correctly stated. General Wilkinson probably has copies of all the letters he wrote me, and having expressed a willingness to furnish the one desired by the Court, the defendant can still have the benefit of it. Or should he not have the particular one on which that passage in the message is founded, I trust that his memory would enable him to affirm that it is substantially correct. I salute you with friendship and respect.

TO GEORGE BLAKE, ESQ.

WASHINGTON, June 24, 1807.

SIR,—I enclose you a petition of John Partridge, which I perceive to have been in your hands before, by a certificate endorsed on it. The petitioner says the term of labor to which he was sentenced expired on the 14th instant; that he is unable to pay the costs of prosecution, and therefore prays to be discharged. But in such cases it is usual to substitute an additional term of confinement equivalent to that portion of the sentence which cannot be complied with. Pardons too for counterfeiting bank paper are yielded with much less facility than others. However, in all cases I have referred these petitions to the judges and prosecuting attorney, who having heard all the cir-

cumstances of the case, are the best judges whether any of them were of such a nature as ought to obtain for the criminal a remission or abridgment of the punishment. I now enclose the papers, and ask the favor of you to take the opinion of the judges on that subject, and to favor me with your own, which will govern me in what I do, and be my voucher for it. I salute you with esteem and respect.

TO GENERAL HENRY DEARBORN.

WASHINGTON, June 25, 1807. 5.30 P. M.

DEAR SIR,—I am sincerely sorry that I am obliged to ask your attendance here without a moment's avoidable delay. The capture of the Chesapeake by a British ship of war renders it necessary to have all our Council together. I do not suppose it will detain you long from rejoining Mrs. Dearborn. The mail is closing. Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, June 25, 1807. 5.30 P. M.

DEAR SIR,—I am sorry to be obliged to hasten your return to this place, and pray that it may be without a moment's avoidable delay. The capture of the Chesapeake by a British ship of war renders it necessary to have all our Council together. The mail is closing. Affectionate salutations.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, June 29, 1807.

SIR,—Your favor by express was safely received on Saturday night, and I am thankful to you for the attention of which it is a proof. Considering the General and State governments as co-operators in the same holy concerns, the interest and happiness of our country, the interchange of mutual aid is among the most pleasing of the exercises of our duty. Captain Gordon, the second in command of the Chesapeake, has arrived here with the details of that affair. Yet as the precaution you took of securing us against the accident of wanting information, was entirely proper, and the expense of the express justly a national one, I have directed him to be paid here, so that he is enabled to refund any money you may have advanced him. Mr. Gallatin and General Dearborn happening to be absent, I have asked their immediate attendance here, and I expect them this day. We shall then determine on the course which the exigency and our constitutional powers call for. Whether the outrage is a proper cause of war, belonging exclusively to Congress, it is our duty not to commit them by doing anything which would be to be retracted. We may, however, exercise the powers entrusted to us for preventing future insults within our harbors, and claim firmly satisfaction for the past. This will leave Congress free to decide whether war is the most efficacious mode of redress in our case, or

whether, having taught so many other useful lessons to Europe, we may not add that of showing them that there are peaceable means of repressing injustice, by making it the interest of the aggressor to do what is just, and abstain from future wrong. It is probable you will hear from us in the course of the week. I salute you with great esteem and respect.

TO ALBERT GALLATIN.

July 4, 1807.

If I understand the claim of the Creeks, it is that they shall have a right of transit across our territories, but especially along our rivers from the Spanish territories to their own, for goods *for their own use*, without paying us a duty. I think they are in the right. This is exactly what we are claiming of Spain, as to this very river, the Mobile. Our doctrine is that different nations inhabiting the same river have all a natural right to an innocent passage along it, just as individuals of the same nation have of a river wholly within the territory of that nation. I do not know whether our revenue law, justly construed, opposes this; but if it does not, we ought to take the case into consideration, and do what is right. It is here that the manner in which this right has been asserted by Captain Isaac, is not agreeable. But can we blame it? and ought not those who are in the wrong to put themselves in the right, without listening to false pride?

Affectionate salutations.

TO THE VICE-PRESIDENT OF THE UNITED STATES.

(GEORGE CLINTON.)

WASHINGTON, July 6, 1807.

DEAR SIR,—I congratulate you on your safe arrival with Miss Clinton at New York, and especially on your escape from British violence. This aggression is of a character so distinct from that on the Chesapeake, and of so aggravated a nature, that I consider it as a very material one to be presented with that to the British Government. I pray you, therefore, to write me a letter, stating the transaction, and in such a form as that it may go to that Government. At the same time, I must request you to instruct Mr. Gelston, from me, to take the affidavits of the Captain of the revenue cutter, and of such other persons as you shall direct, stating the same affair, and to be forwarded, in like manner, to our Minister in London.

You will have seen by the proclamation, the measures adopted. We act on these principles, 1. That the usage of nations requires that we shall give the offender an opportunity of making reparation and avoiding war. 2. That we should give time to our merchants to get in their property and vessels and our seamen now afloat. And 3. That the power of declaring war being with the Legislature, the executive should do nothing, necessarily committing them to decide for war in preference of non-intercourse, which will be preferred by a great many. They will be called in time to receive the answer from Great

Britain, unless new occurrences should render it necessary to call them sooner.

I salute you with friendship and respect.

TO COLONEL WILLIAM TATHAM.

WASHINGTON, July 6, 1807.

SIR,—Your favor of the 1st instant has been received, and I thank you for the communication. Considering the mass of false reports in circulation, and the importance of being truly informed of the proceedings of the British armed vessels in the Chesapeake and its vicinities, I should be very glad, as you are on the spot, provided with a proper vessel and men, if you could continue watching their motions constantly, and giving me information of them. In that case it would be necessary you should journalize everything respecting them which should fall within your observation, and enclose daily to me a copy of the observations of the day, forwarding them to the post-office of Norfolk, by every opportunity occurring. Your allowance should be exactly on the same footing as when you were surveying the coast, and for current expenses you may draw on Mr. Bedinger, Navy Agent, at Norfolk, only accompanying each draught with a letter explaining generally the purpose of it, which is a constant and indispensable rule in all our departments. It will be necessary for me to ask the continuance of this service from you only

until I can ascertain the course these officers mean to pursue.

I salute you with esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

WASHINGTON, July 7, 1807.

DEAR SIR,—I enclose you copies of two letters sent by express from Captain Decatur. By these you will perceive that the British commanders have their foot on the threshold of war. They have begun the blockade of Norfolk; have sounded the passage to the town, which appears practicable for three of their vessels, and menace an attack on the Chesapeake and Cybele. These, with four gun-boats, form the present defence, and there are four more gun-boats in Norfolk nearly ready. The four gun-boats at Hampton are hauled up, and in danger, four in Mopjack bay are on the stocks. Blows may be hourly possible. In this state of things I am sure your own feelings will anticipate the public judgment, that your presence here cannot be dispensed with. There is nobody here who can supply your knowledge of the resources for land co-operation, and the means for bringing them into activity. Still, I would wish you would stay long enough at New York to settle with the V. P. and Colonel Williams, the plan of defence for that place; and I am in hopes you will also see Fulton's experiments tried, and see how far

his means may enter into your plan. But as soon as that is done, should matters remain in their present critical state, I think the public interest and safety would suffer by your absence from us. Indeed, if the present state of things continues, I begin to fear we shall not be justifiable in separating this autumn, and that even an earlier meeting of Congress than we had contemplated, may be requisite. I salute you affectionately.

TO THE MASTERS AND OTHER OFFICERS SAILING TO AND FROM THE PORTS OF NORFOLK AND PORTSMOUTH.

WASHINGTON, July 8, 1807.

The tender of your services for the erection and reparation of Fort Norfolk and works on Craney Island, and for manning the gun-boats and other vessels for the waters of Elizabeth and James rivers, are received with great satisfaction. They are the more important, in proportion as we have much to do in the least time possible. Knowing their peculiar value for manning and managing the gun-boats and other vessels, it is in that direction I am in hopes they will have been applied, and that the necessary aid for erecting or repairing works on the land will have been found in the zeal of other citizens, less qualified to be useful in the employments on the water. I return, for your country, the thanks you so justly deserve.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 8, 1807.

SIR,—You will have received from the Secretary at War a letter, requesting that the quota of the State of Virginia of 100,000 militia be immediately organized and put in readiness for service at the shortest warning, but that they be not actually called out until further requisition. The menacing attitudes which the British ships of war have taken in Hampton Road, the actual blockade of Norfolk, and their having sounded the entrance, as if with a view to pass up to the city, render it necessary that we should be as well prepared there as circumstances will permit. The Secretary at War being gone to New York to arrange a plan of defence for that city, it devolves on me to request that, according to the applications you may receive from the officers charged with the protection of the place, and the information which you are more at hand to obtain than we are here, you will order such portions of the militia as you shall think necessary and most convenient to enter immediately on duty, for the defence of the place and protection of the country, at the expense of the United States. We have, moreover, four gunboats hauled up at Hampton, and four others on the stocks in Matthews county, under the care of Commodore Samuel Barron, which we consider as in danger. I must request you also to order such aids of militia, on the application of that officer, as you shall think

adequate to their safety. Any arms which it may be necessary to furnish to the militia for the present objects, if not identically restored to the State, shall be returned in kind or in value by the United States. I have thought I could not more effectually provide for the safety of the places menaced, than by committing it to your hands, as you are nearer the scene of action, have the necessary powers over the militia, can receive information, and give aid so much more promptly than can be done from this place. I will ask communications from time to time of your proceedings under this charge. I salute you with great esteem and respect.

TO CAPTAIN J. SAUNDERS, FORT NELSON.

WASHINGTON, July 8, 1807.

SIR,—The Secretary at War having proceeded to New York to make arrangements for the defence of that place, your letter to him of July 4th has been put into my hands. I see with satisfaction the promptitude with which you have proceeded in mounting the guns of your fort, and I will count on your continuing your utmost exertions for putting yourself in the best condition of defence possible. With respect to the instructions you ask for, you will consider the proclamation of July 2d as your general instructions, but especially you are to contribute all the means in your power towards the defence of the country, its citizens, and property, against any

aggressions which may be attempted by the British armed vessels or any other armed force. I salute you with respect.

TO GENERAL MATTHEWS.

WASHINGTON, July 8, 1807.

SIR,—The Secretary at War having gone on to New York for the purpose of having that place put into a state of defence, your letter of July 4th to him has been put into my hands. I see with satisfaction that in an emergency too sudden to have been provided for by orders from hence, you have, under the guidance of your own judgment and patriotism, taken the measures within your power towards supporting the rights of your country. I will pray you to consider the proclamation of July 2d as laying down the rule of action for all our citizens, in their several authorities and stations; but that it is further desired of you to employ the means under your command, for defence of the country, its citizens, and property, against all aggressions attempted by the British armed vessels or other force. The Governor of Virginia being in a situation to act with more promptitude on any emergency which may arise, so far as respects the militia of the State, I have authorized and requested him to order into service such portions of the militia as he shall think necessary, on application from any of the persons charged with the defence of Norfolk or other places menaced. With

him I recommend to you to communicate as to the militia to be employed, approving most myself whatever shall be most effectual for repelling aggression on our peace, and maintaining the authority of the laws. Accept my salutations, and assurances of great respect.

TO THE HONORABLE THOMAS COOPER.

WASHINGTON, July 9, 1807.

DEAR SIR,—Your favor of June 23d is received. I had not before learned that a life of Dr. Priestley had been published, or I should certainly have procured it; for no man living had a more affectionate respect for him. In religion, in politics, in physics, no man has rendered more service.

I had always expected that when the republicans should have put down all things under their feet, they would schismatize among themselves. I always expected, too, that whatever names the parties might bear, the real division would be into moderate and ardent republicanism. In this division there is no great evil,—not even if the minority obtain the ascendency by the accession of federal votes to their candidate; because this gives us one shade only, instead of another, of republicanism. It is to be considered as apostasy only when they purchase the votes of federalists, with a participation in honor and power. The gross insult lately received from the English has forced the latter into a momentary coali-

tion with the mass of republicans; but the moment we begin to act in the very line they have joined in approving, all will be wrong, and every act the reverse of what it should have been. Still, it is better to admit their coalescence, and leave to themselves their short-lived existence. Both reason and the usage of nations required we should give Great Britain an opportunity of disavowing and repairing the insult of their officers. It gives us at the same time an opportunity of getting home our vessels, our property, and our seamen,—the only means of carrying on the kind of war we should attempt. The only difference, I believe, between your opinion and mine, as to the protection of commerce, is the forcing the nation to take the best road, and the letting them take the worse, if such is their will. I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

WASHINGTON, July 9, 1807.

DEAR SIR,—Considering that gunboats will enter very materially into the system of defence for New York, I have thought that Commodore Rogers, (who is proceeding to that place on other business,) from his peculiar acquaintance with their operation and effect, might be useful as an associate in your examinations of the place, and the determinations to be formed. His opinions on that part of the subject

will add weight to whatever shall be concluded. I have therefore desired him to take a part with yourself, the Vice-President, and Colonel Williams, in the examinations and consultations.

I have just received a deputation from the Alexandrians, who are under uneasiness for their own unprotected situation, and asking the loan of a large number of muskets and cannon. I have convinced them that a very small force at Digges' Point will defend them more effectually than a very great one at their city, and that on your return we will have the place examined, a battery established, and have small arms in readiness to be given out to them in the moment they shall be wanted to support the battery. Indeed I think a position to be taken there is indispensable for the safety of the Navy Yard and its contents: say a battery and block-house. Who can we get to examine the place, and give a proper plan? This we must determine on your return. Nothing new from Norfolk. Mr. Erskine has written pressingly to Commodore Douglass. Affectionate salutations.

TO ALBERT GALLATIN.

July 10, 1807.

Something now occurs almost every day on which it is desirable to have the opinions of the Heads of departments, yet to have a formal meeting every day would consume so much of their time as to seriously obstruct their regular business. I have proposed to

them, as most convenient for them, and wasting less of their time, to call on me at any moment of the day which suits their separate convenience, when, besides any other business they may have to do, I can learn their opinions separately on any matter which has occurred, also communicate the information received daily. Perhaps you could find it more convenient, sometimes, to make your call at the hour of dinner, instead of going so much further to dine alone. You will always find a plate and a sincere welcome. In this way, that is, successively, I have to-day consulted the other gentlemen on the question whether letters of marque were to be considered as written within our interdict. We are unanimously of opinion they are not. We consider them as essentially *merchant vessels;* that commerce is their main object, and arms merely incidental and defensive. Affectionate salutations.

TO JAMES BOWDOIN.

WASHINGTON, July 10, 1807.

DEAR SIR,—I wrote you on the 10th of July, 1806, but supposing, from your not acknowledging the receipt of the letter, that it had miscarried, I sent a duplicate with my subsequent one of April the 2d. These having gone by the Wasp, you will doubtless have received them. Since that, yours of May the 1st has come to hand. You will see by the despatches from the Department of State, carried by the armed

vessel the Revenge, into what a critical state our peace with Great Britain is suddenly brought, by their armed vessels in our waters. Four vessels of war (three of them two deckers) closely blockade Norfolk at this instant. Of the authority under which this aggression is committed, their minister here is unapprised. You will see by the proclamation of July the 2d, that (while we are not omitting such measures of force as are immediately necessary) we propose to give Great Britain an opportunity of disavowal and reparation, and to leave the question of war, non-intercourse, or other measures, uncommitted, to the Legislature. This country has never been in such a state of excitement since the battle of Lexington. In this state of things, cordial friendship with France, and peace at least with Spain, become more interesting. You know the circumstances respecting this last power, which have rendered it ineligible that you should have proceeded heretofore to your destination. But this obstacle is now removed by their recall of Yrujo, and appointment of another minister, and in the meantime, of a chargé des affaires, who has been received. The way now being open for taking your station at Madrid, it is certainly our wish you should do so, and that this may be more agreeable to you than your return home, as is solicited in yours of May the 1st. It is with real unwillingness we should relinquish the benefit of your services. Nevertheless, if your mind is decidedly bent on that, we shall regret, but not oppose your

return. The choice, therefore, remains with yourself. In the meantime, your place in the joint commission being vacated by either event, we shall take the measures rendered necessary by that. We have seen, with real grief, the misunderstanding which has taken place between yourself and General Armstrong. We are neither qualified nor disposed to form an opinion between you. We regret the pain which must have been felt by persons, both of whom hold so high a place in our esteem, and we have not been without fear that the public interest might suffer by it. It has seemed, however, that the state of Europe has been such as to admit little to be done, in matters so distant from them.

The present alarm has had the effect of suspending our foreign commerce. No merchant ventures to send out a single vessel; and I think it probable this will continue very much the case till we get an answer from England. Our crops are uncommonly plentiful. That of small grain is now secured south of this, and the harvest is advancing here.

Accept my salutations, and assurances of affectionate esteem and respect.

TO CAPTAIN BEATTY, FOR HIMSELF, THE OTHER OFFICERS AND PRIVATES OF THE LIGHT INFANTRY COMPANY OF GEORGETOWN.

WASHINGTON, July 11, 1807.

SIR,—I have received your letter of yesterday, mentioning that you had, on the 4th of July, made

a tender of the services of the Light Infantry Company of Georgetown. The circumstances of the day must apologize for its having escaped my recollection. This tender of service in support of the rights of our country merits and meets the highest praise; and whenever the moment arrives in which these rights must appeal to the public arm for support, the spirit from which your offer flows, that which animates our nation, will be their sufficient safeguard.

To the Legislature will be rendered a faithful account of the events which have so justly excited the sensibilities of our country, of the measures taken to obtain reparation, and of their result; and to their wisdom will belong the course to be ultimately pursued.

In the meantime it is our duty to pursue that prescribed by the existing laws, towards which, should your services be requisite, this offer of them will be remembered.

I tender for your country the thanks so justly due to yourself, the other officers and privates of the company.

TO BARNABAS BIDWELL.

WASHINGTON, July 11, 1807.

DEAR SIR,—Yours of June 27th has been duly received, and although wishing your happiness always, I cannot be altogether unpleased with a transfer of your services to a department more

pleasing to yourself, yet I cannot but lament your loss in Congress. You know that talents cannot be more useful anywhere than there; and the times seem to portend that we may have occasion there for all we possess. You have long ago learnt the atrocious acts committed by the British armed vessels in the Chesapeake and its neighborhood. They cannot be easily accommodated, although it is believed that they cannot be justified by orders from their government. We have acted on these principles; 1, to give that government an opportunity to disavow and make reparation; 2, to give ourselves time to get in the vessels, property and seamen, now spread over the ocean; 3, to do no act which might compromit Congress in their choice between war, non-intercourse, or any other measure. We shall probably call them some time in October, having regard to the return of the healthy season, and to the receipt of an answer from Great Britain, before which they could only act in the dark. In the meantime we shall make all the preparations which time will permit, so as to be ready for any alternative.

The officers of the British ships, in a conference with a gentleman sent to them by the Mayor of Norfolk, have solemnly protested they mean no further proceeding without further orders. But the question is whether they will obey the proclamation? If they do not, acts of force will probably ensue; still these may lead to nothing further, if their government is just. I salute you with great affection.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, July 13, 1807.

DEAR SIR,—I wrote you on the 7th; since that we learn that the Bellone and Leopard remaining in Hampton Road, the other two vessels have returned to the Capes of Chesapeake, where they have been reinforced by another frigate and a sloop of war, we know not from whence. This induces us to suppose they do not mean an immediate attack on Norfolk, but to retain their present position till further orders from their Admiral. I am inclined to think that the body of militia now in the field in Virginia would need to be regulated according to these views. They are in great want of artillery, the State possessing none. Their subsistence also, and other necessary expenses, require immediate attention from us, the finances of the State not being at all in a condition to meet these cases. We have some applications for the loan of field-pieces. The transportation of heavy cannon to Norfolk and Hampton, is rendered difficult by the blockade of those ports. These things are of necessity reserved for your direction on your return, as nobody here is qualified to act in them. It gives me sincere concern that events should thus have thwarted your wishes. Should the Bellone and Leopard retire, and a disposition be shown by the British commanders to restore things to a state of peace until they hear from their government, we may go into summer quarters without injury to the

public safety, having previously made all necessary arrangements. But if the present hostile conduct is pursued, I fear we shall be obliged to keep together, or at least within consulting distance. I salute you with sincere affection and respect.

TO MONSIEUR DUPONT DE NEMOURS.

WASHINGTON, July 14, 1807.

MY DEAR SIR,—I received last night your letter of May 6th, and a vessel being just now sailing from Baltimore, affords me an opportunity of hastily acknowledging it. Your exhortation to make a provision of arms is undoubtedly wise, and we have not been inattentive to it. Our internal resources for cannon are great, and those for small arms considerable, and in full employment. We shall not suffer from that want, should we have war; and of the possibility of that you will judge by the enclosed proclamation, and by what you know of the character of the English government. Never since the battle of Lexington have I seen this country in such a state of exasperation as at present, and even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, though they will return to their trade of censuring every measure taken to obtain it. "Reparation for the past, and security for the future," is our motto; but whether they will yield it freely, or will require resort to non-intercourse, or to war, is yet to be seen. We prepare

for the last. We have actually 2,000 men in the field, employed chiefly in covering the exposed coast, and cutting off all supply to the British vessels. We think our gunboats at New York, (thirty-two,) with heavy batteries along shore, and bombs, will put that city *hors de insulte*. If you could procure and send me a good description and drawing of one of your Prames, you would do me a most acceptable service. I suppose them to be in fact a floating battery, rendered very manageable by oars.

Burr's conspiracy has been one of the most flagitious of which history will ever furnish an example. He had combined the objects of separating the western States from us, of adding Mexico to them, and of placing himself at their head. But he who could expect to effect such objects by the aid of American citizens, must be perfectly ripe for Bedlam. Yet although there is not a man in the United States who is not satisfied of the depth of his guilt, such are the jealous provisions of our laws in favor of the accused, and against the accuser, that I question if he can be convicted. Out of the forty-eight jurors who are to be summoned, he has a right to choose the twelve who are to try him, and if any one of the twelve refuses to concur in finding him guilty, he escapes. This affair has been a great confirmation in my mind of the innate strength of the form of our government. He had probably induced near a thousand men to engage with him, by making them believe the government connived at it. A proclamation alone, by

undeceiving them, so completely disarmed him, that he had not above thirty men left, ready to go all lengths with him. The first enterprise was to have been the seizure of New Orleans, which he supposed would powerfully bridle the country above, and place him at the door of Mexico. It has given me infinite satisfaction that not a single native Creole of Louisiana, and but one American, settled there before the delivery of the country to us, were in his interest. His partisans there were made up of fugitives from justice, or from their debts, who had flocked there from other parts of the United States, after the delivery of the country, and of adventurers and speculators of all descriptions. I thank you for the volume of Memoirs you have sent me, and I will immediately deliver that for the Philosophical Society. I feel a great interest in the publication of Turfot's works, but quite as much in your return here. Your Eleutherian son is very valuable to us, and will daily become more so. I hope there will be a reaction of good offices on him. We have heard of a great improvement in France of the furnace for heating cannon-balls, but we can get no description of it.

I salute you with sincere affection, and add assurances of the highest respect.

TO THE MARQUIS DE LA FAYETTE.

WASHINGTON, July 14, 1807.

MY DEAR FRIEND,—I received last night your letters of February the 20th and April 29th, and a

vessel just sailing from Baltimore enables me hastily to acknowledge them; to assure you of the welcome with which I receive whatever comes from you, and the continuance of my affectionate esteem for yourself and family. I learn with much concern, indeed, the state of Madame de La Fayette's health. I hope I have the pleasure yet to come of learning its entire re-establishment. She is too young not to give great confidence to that hope.

Measuring happiness by the American scale, and sincerely wishing that of yourself and family, we had been anxious to see them established this side of the great water. But I am not certain that any equivalent can be found for the loss of that species of society to which our habits have been formed from infancy. Certainly, had you been, as I wished, at the head of the government of Orleans, Burr would never have given me one moment's uneasiness. His conspiracy has been one of the most flagitious of which history will ever furnish an example. He meant to separate the western States from us, to add Mexico to them, place himself at their head, establish what he would deem an energetic government, and thus provide an example and an instrument for the subversion of our freedom. The man who could expect to effect this, with American materials, must be a fit subject for Bedlam. The seriousness of the crime, however, demands more serious punishment. Yet, although there is not a man in the United States who doubts his guilt, such are the jealous provisions of our laws

public safety, having previously made all necessary arrangements. But if the present hostile conduct is pursued, I fear we shall be obliged to keep together, or at least within consulting distance. I salute you with sincere affection and respect.

TO MONSIEUR DUPONT DE NEMOURS.

WASHINGTON, July 14, 1807.

MY DEAR SIR,—I received last night your letter of May 6th, and a vessel being just now sailing from Baltimore, affords me an opportunity of hastily acknowledging it. Your exhortation to make a provision of arms is undoubtedly wise, and we have not been inattentive to it. Our internal resources for cannon are great, and those for small arms considerable, and in full employment. We shall not suffer from that want, should we have war; and of the possibility of that you will judge by the enclosed proclamation, and by what you know of the character of the English government. Never since the battle of Lexington have I seen this country in such a state of exasperation as at present, and even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, though they will return to their trade of censuring every measure taken to obtain it. "Reparation for the past, and security for the future," is our motto; but whether they will yield it freely, or will require resort to non-intercourse, or to war, is yet to be seen. We prepare

for the last. We have actually 2,000 men in the field, employed chiefly in covering the exposed coast, and cutting off all supply to the British vessels. We think our gunboats at New York, (thirty-two,) with heavy batteries along shore, and bombs, will put that city *hors de insulte*. If you could procure and send me a good description and drawing of one of your Prames, you would do me a most acceptable service. I suppose them to be in fact a floating battery, rendered very manageable by oars.

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I am afraid I have been very unsuccessful in my endeavors to serve Madame de Tessé in her taste for planting. A box of seeds, etc., which I sent her in the close of 1805, was carried with the vessel into England, and discharged so late that I fear she lost their benefit for that season. Another box, which I prepared in the autumn of 1806, has, I fear, been equally delayed from other accidents. However, I will persevere in my endeavors.

Present me respectfully to her, M. de Tessé, Madam de La Fayette and your family, and accept my affectionate salutations, and assurances of constant esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 16, 1807.

DEAR SIR,—Your letter of the 10th has been received, and I note what is said on the provision which ought to be made by us, for the militia in the field. An arrangement by the Secretary at War to meet certain other persons at New York, to concert a plan of defence for that city, has occasioned necessarily his temporary absence from this place, and there is no person sufficiently informed to take the necessary measures until his return, which will be on Tuesday or Wednesday next. I hope no great inconvenience may be experienced if it lies till then. It has been suggested to me that if the British vessels should be disposed to leave our waters, they might

not be able to do it without some supplies, especially of water; and it is asked whether supplies to carry them away may be admitted? It has been answered that, on their giving assurance of immediate departure from our waters, they may have the supplies necessary to carry them to Halifax or the West Indies. I must pray you to instruct General Matthews to permit it, if he be applied to. But it is best that nothing be said on this subject until an application is actually made by them. Their retirement would prevent the necessity of a resort to force, and give us time to get in our ships, our property, and our seamen, now under the grasp of our adversary; probably not less than 20,000 of the latter are now exposed on the ocean, whose loss would cripple us in the outset more than the loss of several battles. However pleasing the ardor of our countrymen, as a pledge of their support, if war is to ensue, as is very possible, we, to whom they trust for conducting their affairs to the best advantage, should take care that it be not precipitated, while every day is restoring to us our best means for carrying it on. I salute you with friendship and respect.

TO MADAME STAEL-HOLSTEIN.

WASHINGTON, July 16, 1807.

I have received, Madam, the letter which you have done me the favor to write from Paris on the 24th of April, and M. le Ray de Chaumont informs me that

the book you were so kind as to confide to him, not having reached Nantes when he sailed, will come by the first vessel from that port to this country. I shall read with great pleasure whatever comes from your pen, having known its powers when I was in a situation to judge, nearer at hand, the talents which directed it.

Since then, Madam, wonderful are the scenes which have passed! Whether for the happiness of posterity, must be left to their judgment. Even of their effect on those now living, we, at this distance, undertake not to decide. Unmeddling with the affairs of other nations, we presume not to prescribe or censure their course. Happy, could we be permitted to pursue our own in peace, and to employ all our means in improving the condition of our citizens. Whether this will be permitted, is more doubtful now than at any preceding time. We have borne patiently a great deal of wrong, on the consideration that if nations go to war for every degree of injury, there would never be peace on earth. But when patience has begotten false estimates of its motives, when wrongs are pressed because it is believed they will be borne, resistance becomes morality.

The grandson of Mr. Neckar cannot fail of a hearty welcome in a country which so much respected him. To myself, who loved the virtues and honored the great talents of the grandfather, the attentions I received in his natal house, and particular esteem for yourself, are additional titles to whatever service I

can render him. In our cities he will find distant imitations of the cities of Europe. But if he wishes to know the nation, its occupations, manners, and principles, they reside not in the cities; he must travel through the country, accept the hospitalities of the country gentlemen, and visit with them the school of the people. One year after the present will complete for me the *quadragena stipendia*, and will place me among those to whose hospitality I recommend the attentions of your son. He will find a sincere welcome at Monticello, where I shall then be in the bosom of my family, occupied with my books and my farms, and enjoying, under the government of a successor, the freedom and tranquillity I have endeavored to secure for others.

Accept the homage of my respectful salutations, and assurances of great esteem and consideration.

TO GENERAL JOHN ARMSTRONG.

WASHINGTON, July 17, 1807.

DEAR SIR,—I take the liberty of enclosing to your care some letters to friends who, whether they are in Paris or not I do not know. If they are not, I will pray you to procure them a safe delivery.

You will receive, through the Department of State, information of the critical situation in which we are with England. An outrage not to be borne has obliged us to fly to arms, and has produced such a state of exasperation, and that so unanimous, as

never has been seen in this country since the battle of Lexington. We have between two and three thousand men on the shores of the Chesapeake, patrolling them for the protection of the country, and for preventing supplies of any kind being furnished to the British; and the moment our gunboats are ready we shall endeavor by force to expel them from our waters. We now send a vessel to call upon the British government for reparation for the past outrage, and security for the future, nor will anything be deemed security but a renunciation of the practice of taking persons out of our vessels, under the pretence of their being English. Congress will be called some time in October, by which time we may have an answer from England. In the meantime we are preparing for a state of things which will take that course, which either the pride or the justice of England shall give it. This will occasion a modification of your instructions, as you will learn from the Secretary of State. England will immediately seize on the Floridas as a *point d'appui* to annoy us. What are we to do in that case? I think she will find that there is no nation on the globe which can gall her so much as we can. I salute you with great affection and respect.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, July 17, 1807.

MY DEAR SIR,—I have this moment received certain information that the British vessels have retired

from Hampton Road. Whether they will only join their companions in the bay, and remain there or go off, is yet to be seen. It gives me real pain to believe that circumstances still require your presence here. I have had a consultation this day with our colleagues on that subject, and we have all but one opinion on that point. Indeed, if I regarded yourself alone, I should deem it necessary to satisfy public opinion, that you should not be out of place at such a moment. The arrangements for the militia, now much called for, can be properly made only by yourself. Several other details are also at a stand. I shall therefore hope to see you in a very few days. An important question will be to be decided on the arrival of Decatur here, about this day se'night, whether, as the retirement of the British ships from Hampton Road enables us to get our sixteen gunboats together, we shall authorize them to use actual force against the British vessels. Present to Mrs. Dearborn, and accept yourself, my affectionate and respectful salutations.

TO JOHN PAGE.

WASHINGTON, July 17, 1807.

MY DEAR FRIEND,—Yours of the 11th is received. In appointments to public offices of mere profit, I have ever considered faithful service in either our first or second revolution as giving preference of claim, and that appointments on that principle

would gratify the public, and strengthen that confidence so necessary to enable the executive to direct the whole public force to the best advantage of the nation. Of Mr. Bolling Robertson's talents and integrity I have long been apprised, and would gladly use them where talents and integrity are wanting. I had thought of him for the vacant place of secretary of the Orleans territory, but supposing the salary of two thousand dollars not more than he makes by his profession, and while remaining with his friends, I have, in despair, not proposed it to him. If he would accept it, I should name him instantly with the greatest satisfaction. Perhaps you could inform me on this point.

With respect to Major Gibbons, I do indeed recollect, that in some casual conversation, it was said, that the most conspicuous accomplices of Burr were at home at his house; but it made so little impression on me, that neither the occasion nor the person is now recollected. On this subject, I have often expressed the principles on which I act, with a wish they might be understood by the federalists in office. I have never removed a man merely because he was a federalist: I have never wished them to give a vote at an election, but according to their own wishes. But as no government could discharge its duties to the best advantage of its citizens, if its agents were in a regular course of thwarting instead of executing all its measures, and were employing the patronage and influence of their offices against the government

and its measures, I have only requested they would be quiet, and they should be safe; that if their conscience urges them to take an active and zealous part in opposition, it ought also to urge them to retire from a post which they could not conscientiously conduct with fidelity to the trust reposed in them; and on failure to retire, I have removed them; that is to say, those who maintained an active and zealous opposition to the government. Nothing which I have yet heard of Major Gibbons places him in danger from these principles.

I am much pleased with the ardor displayed by our countrymen on the late British outrage. It gives us the more confidence of support in the demand of *reparation* for the past, and *security* for the future, that is to say, an end of impressments. If motives of either justice or interest should produce this from Great Britain, it will save a war; but if they are refused, we shall have gained time for getting in our ships and property, and at least twenty thousand seamen now afloat on the ocean, and who may man two hundred and fifty privateers. The loss of these to us would be worth to Great Britain many victories of the Nile and Trafalgar. The meantime may also be importantly employed in preparations to enable us to give quick and deep blows.

Present to Mrs. Page, and receive yourself my affectionate and respectful salutations.

TO BENJAMIN MORGAN, ESQ.

WASHINGTON, July 18, 1807.

SIR,—We learn through the channel of the newspapers that Governor Claiborne having engaged in a duel, has been dangerously wounded, and the Secretary having resigned his office, the territory will in that event be left without any executive head. It is not in my power immediately to make provision for this unfortunate and extraordinary state to which the territory may thus have been reduced, otherwise than by beseeching you to undertake the office of Secretary for a short time, until I can fill up the appointment. I well know that immersed in other business, as you are, this will greatly embarrass you; but I will not desire you to do anything more than absolute necessity shall require, and even from that you shall be shortly relieved by the appointment of a successor. This request is made in the event of Governor Claiborne's wound having proved mortal. If he is alive, the commission need not be used. I shall be anxious to hear from you. In the meantime accept my friendly and respectful salutations.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 19, 1807.

SIR,—Your letter of the 15th was received yesterday, and the opinion you have given to General Matthews against allowing any intercourse between the

British Consul and the ships of his nation remaining in our waters, in defiance of our authority, is entirely approved. Certainly while they are conducting themselves as enemies *de facto*, intercourse should be permitted only as between enemies, by flags under the permission of the commanding officers, and with their passports. My letter of the 16th mentioned a case in which a communication from the British officers should be received if offered. A day or two ago, we permitted a parent to go on board the Bellone with letters from the British minister, to demand a son impressed; and others equally necessary will occur, but they should be under the permission of some officer having command in the vicinity.

With respect to the disbanding some portion of the troops, although I consider Norfolk as rendered safe by the batteries, the two frigates, the eight gunboats present, and nine others and a bomb-vessel which will be there immediately, and consequently that a considerable proportion of the militia may be spared, yet I will pray you to let that question lie a few days, as in the course of this week we shall be better able to decide it. I am anxious for their discharge the first moment it can be done with safety, because I know the dangers to which their health will be exposed in that quarter in the season now commencing. By a letter of the 14th from Colonel Tatham, stationed at the vicinities of Lynhaven Bay to give us daily information of what passes, I learn that the British, officers and men, often go ashore there, that

on the day preceding, 100 had been at the pleasure-house in quest of fresh provisions and water, that negroes had begun to go off to them. As long as they remain there, we shall find it necessary to keep patrols of militia in the neighborhood sufficiently strong to prevent them from taking or receiving supplies. I presume it would be thought best to assign the tour for the three months to come, to those particular corps who being habituated to the climate of that part of the country, will be least likely to suffer in their health; at the end of which time others from other parts of the country may relieve them, if still necessary. In the meantime our gunboats may all be in readiness, and some preparations may be made on the shore, which may render their remaining with us not eligible to themselves. These things are suggested merely for consideration for the present, as by the close of the week I shall be able to advise you of the measures ultimately decided on. I salute you with friendship and respect.

TO WILLIAM DUANE.

WASHINGTON, July 20, 1807.

SIR,—Although I cannot always acknowledge the receipt of communications, yet I merit their continuance by making all the use of them of which they are susceptible. Some of your suggestions had occurred, and others will be considered. The time is coming when our friends must enable us to hear

everything, and expect us to say nothing; when we shall need all their confidence that everything is doing which can be done, and when our greatest praise shall be, that we *appear* to be doing nothing. The law for detaching one hundred thousand militia, and the appropriation for it, and that for fortifications, enable us to do everything for land service, as well as if Congress were here; and as to naval matters, their opinion is known. The course we have pursued, has gained for our merchants a precious interval to call in their property and our seamen, and the postponing the summons of Congress will aid in avoiding to give too quick an alarm to the adversary. They will be called, however, in good time. Although we demand of England what is merely of right, reparation for the past, security for the future, yet as their pride will possibly, nay probably, prevent their yielding them to the extent we shall require, my opinion is, that the public mind, which I believe is made up for war, should maintain itself at that point. They have often enough, God knows, given us cause of war before; but it has been on points which would not have united the nation. But now they have touched a chord which vibrates in every heart. Now then is the time to settle the old and the new.

I have often wished for an occasion of saying a word to you on the subject of the Emperor of Russia, of whose character and value to us, I suspect you are not apprised correctly. A more virtuous man, I believe, does not exist, nor one who is more enthusi-

astically devoted to better the condition of mankind. He will probably, one day, fall a victim to it, as a monarch of that principle does not suit a Russian noblesse. He is not of the very first order of understanding, but he is of a high one. He has taken a peculiar affection to this country and its government, of which he has given me public as well as personal proofs. Our nation being, like his, habitually neutral, our interests as to neutral rights, and our sentiments agree. And whenever conferences for peace shall take place, we are assured of a friend in him. In fact, although in questions of restitution he will be with England, in those of neutral rights he will be with Bonaparte and with every other power in the world, except England; and I do presume that England will never have peace until she subscribes to a just code of marine law. I have gone into this subject, because I am confident that Russia (while her present monarch lives) is the most cordially friendly to us of any power on earth, will go furthest to serve us, and is most worthy of conciliation. And although the source of this information must be a matter of confidence with you, yet it is desirable that the sentiments should become those of the nation. I salute you with esteem and respect.

TO EDMUND PENDLETON GAINES.

WASHINGTON, July 23, 1807.

Thomas Jefferson has re-examined the complaints in the memorial from Tombigbee, and Mr. Gaines' explanation. The complaints are:

1. That Mr. Gaines stopped a vessel having a legal permit.

2. That he arrested Colonel Burr militarily.

3. That Mr. Small gave evidence against Colonel Burr.

4. That he, Mr. Small, refused a passport to a Mr. Feu.

5. That he levies duties on Indian goods.

6. That the people of that settlement have not the free use of the Mobile.

2. That the arrest of Colonel Burr was military has been disproved; but had it been so, every honest man and good citizen is bound, by any means in his power, to arrest the author of projects so daring and dangerous.

3. This complaint, as well as the preceding one, would imply a partiality for Colonel Burr, of which he hopes the petitioners were not guilty.

5. The levy of duty on Indian goods is required by the laws of Congress.

6. There has been a constant hope of obtaining the navigation by negotiation, and no endeavors have been spared. Congress has not thought it expedient as yet to plunge the nation into a war against

Spain and France, or to obtain an exemption from the duty levied on the use of that river.

(1.) On the subject of the first complaint, Mr. Gaines was giving a verbal explanation, which Thomas Jefferson asks the favor of him to repeat.

(4.) On this subject, also, he asks any information Mr. Gaines can give; for though it is a matter of discretion, it should be exercised without partiality or passion. He salutes Mr. Gaines with esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 24, 1807.

SIR,—Yours of the 20th has been duly received. The relation in which we stand with the British naval force within our waters is so new, that differences of opinion are not to be wondered at respecting the captives, who are the subject of your letter. Are they insurgents against the authority of the laws? Are they public enemies, acting under the orders of their sovereign? or will it be more correct to take their character from the act of Congress for the preservation of peace in our harbors, which authorizes a qualified war against persons of their demeanor, defining its objects, and limiting its extent? Considering this act as constituting the state of things between us and them, the captives may certainly be held as prisoners of war. If we restore them it will be an act of favor, and not of any right they can urge. Whether Great

Britain will give us that reparation for the past and security for the future, which we have categorically demanded, cannot as yet be foreseen; but we have believed we should afford an opportunity of doing it, as well from justice and the usage of nations, as a respect to the opinion of an impartial world, whose approbation and esteem are always of value. This measure was requisite, also, to produce unanimity among ourselves; for however those nearest the scenes of aggression and irritation may have been kindled into a desire for war at short hand, the more distant parts of the Union have generally rallied to the point of previous demand of satisfaction and war, if denied. It was necessary, too, for our own interests afloat on the ocean, and under the grasp of our adversary; and, added to all this, Great Britain was ready armed and on our lines, while we were taken by surprise, in all the confidence of a state of peace, and needing time to get our means into activity. These considerations render it still useful that we should avoid every act which may precipitate immediate and general war, or in any way shorten the interval so necessary for our own purposes; and they render it advisable that the captives, in the present instance, should be permitted to return, with their boat, arms, etc., to their ships. Whether we shall do this a second, a third, or a fourth time, must still depend on circumstances. But it is by no means intended to retire from the ground taken in the proclamation. That is to be strictly adhered to.

And we wish the military to understand that while, for special reasons, we restore the captives in this first instance, we applaud the vigilance and activity which, by taking them, have frustrated the object of their enterprise, and urge a continuance of them, to intercept all intercourse with the vessels, their officers and crews, and to prevent them from taking or receiving supplies of any kind; and for this purpose, should the use of force be necessary, they are unequivocally to understand that force is to be employed without reserve or hesitation. I salute you with great esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 27, 1807.

SIR,—The Secretary at War having returned from New York, we have immediately taken up the question respecting the discharge of the militia, which was the subject of your two last letters, and which I had wished might remain undecided a few days. From what we have learnt of the conduct of the British squadron in the Chesapeake, since they have retired from Hampton Roads, we suppose that, until orders from England, they do not contemplate any further acts of hostility, other than those they are daily exercising, by remaining in our waters in defiance of the national authority, and bringing-to vessels within our jurisdiction. Were they even disposed to make an attempt on Norfolk, it is believed

to be sufficiently secured by the two frigates Cybele and Chesapeake, by the twelve gunboats now there, and four more from Matthews county expected,—by the works of Fort Nelson; to all of which we would wish a company of artillery, of the militia of the place, to be retained and trained, putting into their hands the guns used at Fort Norfolk and Cape Henry, to cut off from these vessels all supplies, according to the injunctions of the proclamation, and to give immediate notice to Norfolk should any symptoms of danger appear,—to oppose which the militia of the borough and the neighboring counties should be warned to be in constant readiness to march at a moment's warning. Considering these provisions as quite sufficient for the safety of Norfolk, we are of opinion that it will be better immediately to discharge the body of militia now in service, both on that and the other side of James river. This is rendered expedient, not only that we may husband from the beginning those resources which will probably be put to a long trial, but from a regard to the health of those in service, which cannot fail to be greatly endangered during the sickly season now commencing, and the discouragement, which would thence arise, to that ardor of public spirit now prevailing. As to the details necessary on winding up this service, the Secretary at War will write fully, as he will, also, relative to the force retained in service, and whatever may hereafter concern them or their operations, which he possesses so much more famil-

iarly than I do, and have been gone into by myself immediately, only on account of his absence on another service.

The diseases of the season incident to most situations on the tide-waters, now beginning to show themselves here, and to threaten some of our members, together with the probability of a uniform course of things in the Chesapeake, induce us to prepare for leaving this place during the two sickly months, as well for the purposes of health as to bestow some little attention to our private affairs, which is necessary at some time of every year. Our respective stations will be fixed and known, so that everything will find us at them, with the same certainty as if we were here; and such measures of intercourse will be established as that the public business will be carried on at them, with all the regularity and dispatch necessary. The present arrangements of the post office admit an interchange of letters between Richmond and Monticello twice a week, if necessary, and I propose that a third shall be established during the two ensuing months, of which you shall be informed. My present expectation is to leave this place for Monticello, about the close of this or the beginning of the next week. The Secretary at War will continue in this neighborhood until we shall further see that the course of things in the Chesapeake will admit of his taking some respite. I salute you with great esteem and respect.

TO COLONEL WILLIAM TATHAM.

WASHINGTON, July 28, 1807.

SIR,—Your several letters from the 10th to the 23d, inclusive, have been duly received, and have served to regulate our belief of the state of things in Lynhaven, amidst the variety of uncertain reports which were afloat. In mine of the 6th, I mentioned that it would be necessary for me to ask the continuance of this service from you only until I could ascertain the course the squadron of Commodore Douglass meant to pursue. We are now tolerably satisfied as to that course. From everything we have seen, we conclude that it is not their intention to go into a state of general war, or to commit further hostilities than remaining in our waters in defiance, and bring-to vessels within them, until they get their orders from England. We have therefore determined to keep up only a troop of cavalry for patrolling the coast opposite them, and preventing their getting supplies, and the naval and artillery force, now in Norfolk, for its defence. In this state of things, and in consideration of the unhealthy season now approaching at this as other places on the tide-waters, and which we have always retired from about this time, the members of the administration, as well as myself, shall leave this place in three or four days, not to return till the sickly term is over, unless something extraordinary should re-assemble us. It is therefore unnecessary for me to ask any longer the

continuance of your labors. You will be so good as to make the proper disposition of whatever articles you may have found it necessary to procure on public account, to make up the accounts for your services according to the principles stated in my letter of the 6th, and to send them either to myself for the Navy Department, or to the head of that department directly. They would find me at Monticello. With my thanks for the diligence with which you have executed this trust, accept my salutations and assurances of esteem and respect.

TO GENERAL SAMUEL SMITH.

WASHINGTON, July 30, 1807.

DEAR SIR,—I kept up your letter of the 23d till the return of General Dearborn enabled us to give to the question of lending arms, a serious consideration. We find that both law and expediency draw a line for our guide. In general, our magazines are open for troops, militia, or others, when they take the field for actual service. Besides this, a law has expressly permitted loans for training volunteers who have engaged themselves for immediate service. The inference is, that we are not to lend to any others. And indeed, were we to lend for training the militia, our whole stock would not suffice, and not an arm would be left for real service. You are sensible, I am sure, that however desirous we might be of gratifying the particular request you have made, yet as

what we do for one we must do for another, we could not afterwards stop.

Of the measures suggested in your preceding letter, one only did not exactly meet our ideas. We thought it better not to convene Congress till the 26th of October. Within a fortnight after that we may expect our vessel with the answer of England. Until that arrives there would be no ground sufficiently certain for Congress to act on. In the meanwhile we are making every preparation which could be made were they in session. The detachment act and its appropriation authorizes this. Congress could not declare war without a demand of satisfaction, nor should they lay an embargo while we have so much under the grasp of our adversary. They might, indeed, authorize the building more gunboats; but having so lately negatived that proposition, it would not be respectful in me even to suggest it again, much less to make it the ground of convening them. If they should change their minds, and authorize the building more, (and indeed I think two hundred more, at least, are necessary, in aid of other works, to secure our harbors,) the winter will suffice for building them, and the winter will also enable us to do much towards batteries and fortifications, if the appropriation be made early. We find that we cannot man our gunboats now at Norfolk. I think it will be necessary to erect our sea-faring men into a naval militia, and subject them to tours of duty in whatever port they may be.

We have been for some time under dread from the bilious season, now commencing. Mr. Madison and Mr. Gallatin have had symptoms of indisposition. We have nearly everything so arranged as that we can carry on the public affairs at our separate stations. I shall therefore leave this on the 1st of August, for that and the ensuing month. We shall avoid, as far as we honorably can, every act which would precipitate general hostilities, and shorten the interval so necessary for our merchants to get in their property and our seamen. Accept my salutations, and assurances of great esteem and respect.

TO THE MASTERS OF VESSELS IN THE PORT OF CHARLESTON, S. C.

WASHINGTON, July 30, 1807.

The offer of your professional services in any way most useful to your country, merits and meets the highest praise. Should the outrages lately committed by the agents of a foreign power, in the Chesapeake and its neighborhood, extend themselves to your port, your services will be valuable towards its security; and if a general appeal is to be made to the public arm for the support of our rights, the spirit from which your offer flows, that which animates our nation, will, I trust, be their sufficient safeguard.

I tender for your country the thanks you so justly deserve.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 31, 1807.

DEAR SIR,—I shall to-morrow set out for Monticello. Considering the critical state of things, it has been thought better, during my stay there, to establish a *daily* conveyance of a mail from Fredericksburg to Monticello. This enables me to hear both from the north and south every day. Should you have occasion then to communicate with me, your letters can come to me daily by being put into the Fredericksburg mail, every day except that on which the mail stage leaves Richmond for Milton, by which letters of that day will come to me directly.

The course which things are likely to hold for some time has induced me to discontinue the establishment at Lynhaven for obtaining daily information of the movements of the squadron in that neighborhood. But still as it is expected that a troop of cavalry will patrol that coast constantly, I think it would be advisable if your Excellency would be so good as to instruct the commanding officer of the troop to inform you daily of the occurrences of the day, sending off his letter in time to get to Norfolk before the post hour. This letter, after perusal for your own information, I would ask the favor of you to forward by the post of the day, under cover to me. I think a post comes one day from Norfolk by the way of Petersburg, and the next by the way of Hampton. If so, the letters may come every day. I salute you with great and sincere esteem and respect.

TO COLONEL JOHN TAYLOR.

WASHINGTON, August 1, 1807.

DEAR SIR,—I received two days ago your letter recommendatory of Mr. Woodford. I knew his father well, and can readily believe that his merits are descended on the son, and especially after what you say of him. If we could always have as good grounds to go upon, it would greatly relieve the terrible business of nominations. But lest you should not have attended to it, I have taken up my pen in the moment of setting out for Monticello, to remind you that whether we receive the militia or volunteers from the States, the appointment of officers will be with them. There therefore should be Mr. Woodford's application. Should we have war with England, regular troops will be necessary; and though in the first moments of the outrage on the Chesapeake I did not suppose it was by authority from their government, I now more and more suspect it, and of course, that they will not give the reparation for the past and security for the future, which alone may prevent war. The new depredations committing on us, with this attack on the Chesapeake, and their calling on Portugal to declare on the one side or the other, if true, prove they have coolly calculated it will be to their benefit to have everything on the ocean fair prize, and to support their navy by plundering all mankind. This is the doctrine of "war in disguise," and I expect they are going to

adopt it. It is really mortifying that we should be forced to wish success to Bonaparte, and to look to his victories as our salvation. We expect the return of the Revenge the second week in November, with their answer, or no answer, which will enable Congress to take their course. In the meantime, we will have everything as ready as possible for any course they may prefer. I salute you with friendship and respect.

TO GENERAL HENRY DEARBORN.

MONTICELLO, August 7, 1807.

I daresay that Purcell's map must be of value, and it would be well if his representatives would publish it, but whether worth your purchase, and at what price, General Wilkinson might perhaps satisfy you. I shall write to Marentille that if you think it worth while to give him fifty thousand dollars for his project, you will inform him. In the contrary case, it may be put away in your pigeon hole of projects. Governor Cabell, after informing me of the orders for the discharge of the militia, except a company of artillery, and one of cavalry, as we directed, adds: "I have, however, in pursuance of the advice of council, done what your letter did not expressly authorize. But when I state to you the reasons which influenced the measure, I hope you will approve it. You relied entirely on the troop of horse for cutting off the supplies. But we have

received the most satisfactory information of the insufficiency of cavalry to perform that service, in consequence of the particular nature of the country in which they have to act. It is covered with sand-banks and hills, which, in many places (where supplies are most easily procured), render cavalry incapable of action. So severe has this service been, that it has already almost knocked up as fine a battalion of cavalry as any in the United States, perhaps as any in the world. Influenced by these considerations, which we believe had not presented themselves to your mind, because you had not received the necessary information as to facts, the executive have called into service a company of infantry from the county of Princess Anne, to co-operate with the cavalry in cutting off the supplies. Since giving these orders, I understand that General Matthews has anticipated us by calling into actual service the very force we contemplated." Our object was certainly to prevent supplies, and if the means we thought of are not adequate, we should, had we known all circumstances, have provided what would have been effectual; for I think the point of honor requires we should enforce the proclamation in those points in which we have force sufficient. I shall await your opinion, however, before I answer the Governor's letter. Information as late as August 3d, shows that the squadron was quiet in and near the Bay, and General Thomas Hardy, to whom Tazewell delivered the five men, declared to him that his

objection to intercourse by flag, was that the two nations were not in a state of war, which alone required it. He said he expected Barclay, or General Robert Lowrie, in a week to take the command. I salute you with sincere affection and respect.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 7, 1807.

DEAR SIR,—Your letters of July 31st and August 5th were received yesterday. The ground taken in conformity with the Act of Congress, of considering as public enemies British armed vessels in or entering our waters, gives us the benefit of a system of rules, sanctioned by the practice of nations in a state of war, and consequently enabling us with certainty and satisfaction to solve the different cases which may occur in the present state of things. With these rules most officers are acquainted, and especially those old enough to have borne a part in the revolutionary war.

1. As to the enemy within our waters, intercourse, according to the usages of war, can only be by flag; and the ceremonies respecting that are usually a matter of arrangement between the adverse officers commanding in the neighborhood of each other. If no arrangement is agreed on, still the right of sending a flag is inherent in each party, whose discretion will direct him to address it to the proper adverse authority; as otherwise it would be subject to delay or

rejection. Letters addressed by flag to persons in authority with the adverse power, may be sent sealed, and should be delivered. But, if to others, or to their own friends happening to be within the limits of the adversary, they must be open. If innocent in the judgment of the receiving officer, courtesy requires their delivery; if otherwise, they may be destroyed or returned by him; but in a case of only suspended amity, as ours, they should be returned. Letters sent from the interdicted vessels to their consul in Norfolk must be open; and the propriety of delivering them judged of by our officer, tempering his judgment however with liberality and urbanity. Those to their minister plenipotentiary here, sealed or unsealed, should be sent to the Secretary of State without any delay. As to the demand of fugitive slaves, it was the custom during the late war, for the owner to apply to our commander for a flag, and to go himself with that, to exhibit his claim and receive the fugitive. And with respect to Americans detained on board their ships, the application should still, as heretofore, be made through the Secretary of State, to whom proper documents are to be furnished. But without waiting for his application, the British officer, knowing them to be Americans and freemen, cannot but feel it a duty to restore them to their liberty on their own demand.

2. As to the residue of the British nation, with whom we are as yet in peace, their persons and vessels, unarmed, are free to come into our country with-

out question or molestation. And even armed vessels, in distress, or charged, under due authority, with despatches addressed to the government of the United States, or its authorized agents, are, by a proviso in the proclamation, to be received. This exception was meant to cover the British packets coming to New York, which are generally armed, as well as to keep open, through other channels, the communication between the governments. Such a vessel as the Columbine needs no flag, because she is not included in the interdict. Her repairs and supplies are to be regulated by the collector of the port, who may permit them liberally (if no abuse be justly suspected) so far as wanted to carry her back to the port from whence she came. The articles of intercourse, stay and departure, are to be specially superintended by such person as the government shall authorize and instruct.

I have thus far, in compliance with your request, stated the practice of nations so generally as to meet the cases which may arise in the neighborhood of Norfolk. In doing this, I may, in some cases, have mistaken the practice. Where I have done so, I mean that my opinion shall be subject to correction from that practice. On determining that the militia should be disbanded, except so small a portion as would require only a major to command, we concluded that so long as Captain Decatur should remain in his present station, he should be the officer to receive, authorize and regulate intercourse by flag,

with the British squadron in the Chesapeake. He has accordingly, I expect, received instructions to that effect, from the Secretary of the Navy, and I shall communicate to him a copy of this letter to assist him in that duty.

The Secretary at War, I presume, has written to you on the appointment of a Major to command the militia retained. In your selection of the officer, I have no doubt you will be sensible of the importance of naming one of intelligence and activity, as on him we are to rely for daily information from that interesting quarter.

I salute you with friendship and respect.

TO GOVERNOR MERIWETHER LEWIS.

MONTICELLO, August 8, 1807.

SIR,—I have just now received from the Secretary at War, a letter to him from the Secretary of the territory of Louisiana, requesting him to tender to the President of the United States the services of the members of the Military School of the Mine à Burton, as a volunteer corps, under the late act of Congress, authorizing the acceptance of the services of volunteer corps. As you are now proceeding to take upon you the government of that territory, I pray you to be the bearer of my thanks to them for this offer, and to add the pleasure it gives me to receive further their assurances that they will cordially co-operate in the restoration of that harmony in the territory, so essen-

tial to its happiness, and so much desired by me. They, as well as all the other inhabitants of the territory, may rest satisfied that all the authorities of the General Government entertain towards them the most liberal and paternal dispositions, and wish nothing more ardently than to do for their happiness whatever these dispositions may dictate. Want of information, or misinformation, may defeat their first efforts towards this object, but as they advance in obtaining more correct knowledge of their situation, they will be able to establish for them in the end such regulations as will secure their religious, political and civil rights.

As the direction of the militia will be in your hands, I must request you to exercise for me the powers given by the act above mentioned, respecting volunteers, and to arrange them to the best advantage for the prompt and effectual defence of the territory. I salute you with friendship and respect.

TO THE SECRETARY OF STATE
(JAMES MADISON.)

MONTICELLO, August 9, 1807.

DEAR SIR,—Yours of yesterday was received in the course of the day. Our post-rider has not yet got to be punctual, arriving here from two to four hours later than he should do, that is to say from 3 to 5 o'clock instead of 1. I mean to propose to him that being rigorously punctual in his arrival, I will always discharge him the moment he arrives, instead of

keeping him till 7 o'clock as the postmaster proposes, taking for myself the forenoon of the succeeding day to answer every mail. I do not exactly recollect who of the Heads of departments were present, (but I think every one except Mr. Gallatin,) when, conversing on the bungling conduct of our officers with respect to Erskine's letters, and the more bungling conduct to be expected when the command should devolve on a militia major, Mr. Smith proposed that the whole regulation of flags should be confided to Decatur, which appeared to obtain the immediate assent of all. However, the remedy is easy, and perhaps more proper on the whole. That is, to let the commanding officer by land, as well as the one by water, have equal authority to send and receive flags. I will write accordingly to Governor Cabell. This is the safer, as I believe T. Newton (of Congress) is the Major. General Dearborn has sent me a plan of a war establishment for fifteen thousand regulars for garrisons, and instead of fifteen thousand others, as a disposable force, to substitute thirty-two thousand twelve-month volunteers, to be exercised and paid three months in the year, and consequently the costing no more than eight thousand permanent, giving us the benefit of thirty-two thousand for any expedition, who would be themselves nearly equal to regulars, but could on occasion be put into the garrisons and the regulars employed in the expedition *prima facie*. I like it well. I salute you affectionately.

P. S. The record of the blank commission for Marshal of North Carolina, sent to Governor Alexander, must be filled up with the name of John S. West, the former Marshal, who has agreed to continue.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 9, 1807.

DEAR SIR.—I received yesterday yours of the 7th, with the proposition for substituting thirty-two thousand twelve-month volunteers instead of fifteen thousand regulars as a disposable force, and I like the idea much. It will of course be a subject of consideration when we all meet again, but I repeat that I like it greatly.

On some occasion, a little before I left Washington, when we were together (all, I think, except Mr. Gallatin, but I am not quite so sure as to yourself as the others), conversing on the bungling business which had been made by the officers commanding at Norfolk, with Erskine's letters, and the more bungling conduct to be expected when the command should devolve on a militia major, Mr. Smith proposed that the whole business of flags should be committed to Decatur. This appeared to obtain at once the general approbation. Thinking it so settled, on lately receiving a letter from Governor Cabell, asking full and explicit instructions as to the mode of intercourse, I endeavored to lay down

the general rules of intercourse by flag, as well digested as I could to meet all cases, but concluded by informing him that that whole business was committed to Decatur. Mr. Madison now informs me that either not recollecting or not understanding this to have been the arrangement, instructions have been given to the officer commanding by land, relative to intercourse, which may produce collision. The remedy I think is easy, and will on the whole place the matter on more proper ground. That is, to give to the commanding officers by land as well as sea, equal authority to send and receive flags. This is the safer, as I see by the papers that Mr. Newton (of Congress) is the Major. I shall accordingly write to Governor Cabell to-day to correct the error, and to inform him that the two commanders stand on an equal footing in the direction of flags.

I wrote you yesterday as to the additional company of infantry employed, and shall await your opinion before I say anything on it to the Governor. I salute you affectionately.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 9, 1807.

DEAR SIR,—In my letter of the 7th I informed you that on consultation at Washington, it had been concluded best to commit the whole business of flags to Captain Decatur. I now find that I had

not recollected our conclusion correctly, and that it had been understood that the commanding officers by land and water, should have equal authority to license the sending and receiving flags; which is not only proper, but the more satisfactory, as I learn by the papers that Mr. Newton, of Congress, is the commanding Major. Will you be so good as to have him furnished with a copy of my letter, (with a correction of the error,) that he and Captain Decatur may govern themselves by the same rules. I salute you with great esteem and respect.

TO THORNWICK CHASE.

MONTICELLO, August 9, 1807.

SIR,—On receiving tenders of service from various military corps, I have usually addressed the answer to the officer commanding them. Observing in the address of the Master Mariners of Baltimore of July 16th, that being probably unorganized, no commanding officer was named, I considered the first person on the list of subscribers as a kind of foreman, and therefore addressed my answer to him. I now, with pleasure, correct, on reflection, that error, by enclosing a duplicate of the answer to yourself, as the chairman whom they had chosen as the channel of communication, having nothing more at heart than to prove my respect for yourself and the Master Mariners of Baltimore. Accept for yourself and them the assurances of my high consideration.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, August 9, 1807.

DEAR SIR,—Soon after my arrival here I received a letter from Governor Cabell, requesting me to give such instructions for regulating the intercourse with the British squadron as might enable the officers to act correctly. I accordingly undertook to digest the rules of practice, as to flags, as well as I could, and so as to meet all cases, in a letter to the Governor, a copy of which I now enclose you. Soon after sending it, I learnt from Mr. Madison that the arrangement at Washington had not been known or understood to exclude the officer commanding on shore from the right of communicating by flag, and that some particular orders from the War office, respecting Mr. Erskine's letter, might produce a collision. I have therefore written to Governor Cabell, making the correction stated at the foot of the enclosed letter, which is the safer. As Mr. Newton (of Congress) is the Major Commandant ashore, you will see by the letter that I meant to send a copy of it to Captain Decatur, but have thought it more proper to send it you, with a request to forward it, or a copy, to him. Mr. Newton receiving also a copy, they will be enabled to act by one uniform rule. I salute you with affection and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 11, 1807.

DEAR SIR,—In mine of the day before yesterday, I informed you that to comply with a request of Governor Cabell, I had undertaken to lay down rules of intercourse with the British vessels, at first intended for Captain Decatur only, but afterwards extended with equal power to the officer commanding by land, so that each should have equal power to send and receive flags. I now send you a copy of that letter. Since that I have received from the Governor a letter, pointing out difficulties occurring in the execution of the Volunteer act, from the restriction of issuing commissions until the companies be actually raised, the brigades, etc., organized. Another difficulty, not mentioned in the letter, embarrassed him, with respect to accepting more than the quota of each district. I learnt, through a direct channel, that he was so seriously impressed with these legal obstacles, that no commissions were likely to be issued, and then, certainly, that few volunteers would be raised. In answering his letter, therefore, I have dwelt more on these points than might otherwise have seemed necessary. I enclose the letter for your consideration, that if you find no error in it material enough to require a return of it for correction, you will be so good as to seal and forward it to him without delay. But if

you think anything material in it should be corrected before it is sent, I will pray you to suggest the alteration, and return me the letter. I salute you affectionately.

P. S. Be pleased to return the Governor's letter to me.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 11, 1807.

DEAR SIR,—Your favor of the 7th is received. It asks my opinion on several points of law arising out of the act of Congress for accepting thirty thousand volunteers. Although your own opinion, and those of some of your counsellors, more recent in the habit of legal investigation, would be a safer guide for you than mine, unassisted by my ordinary and able associates, yet I shall frankly venture my individual thoughts on the subject, and participate with you in any risks of disapprobation to which an honest desire of furthering the public good may expose us.

In the construction of a law, even in judiciary cases of *meum et tuum*, where the opposite parties have a right and counterright in the very words of the law, the Judge considers the intention of the lawgiver as his true guide, and gives to all the parts and expressions of the law, that meaning which will effect, instead of defeating, its intention. But in laws merely executive, where no private right stands in the way, and the public object is the interest of all,

a much freer scope of construction, in favor of the intention of the law, ought to be taken, and ingenuity ever should be exercised in devising constructions, which may save to the public the benefit of the law. Its intention is the important thing: the means of attaining it quite subordinate. It often happens that, the Legislature prescribing details of execution, some circumstance arises, unforeseen or unattended to by them, which would totally frustrate their intention, were their details scrupulously adhered to, and deemed exclusive of all others. But constructions must not be favored which go to defeat instead of furthering the principal object of their law, and to sacrifice the end to the means. It being as evidently their intention that the end shall be attained as that it should be effected by any given means, if both cannot be observed, we are equally free to deviate from the one as the other, and more rational in postponing the means to the end. In the present case, the object of the act of Congress was to relieve the militia at large from the necessity of leaving their farms and families, to encounter a service very repugnant to their habits, and to permit that service to be assumed by others ardently desiring it. Both parties, therefore, (and they comprehend the whole nation,) would willingly waive any verbal difficulties, or circumstances of detail, which might thwart their mutual desires, and would approve all those views of the subject which facilitate the attainment of their wishes.

It is further to be considered that the Constitution gives the executive a general power to carry the laws into execution. If the present law had enacted that the service of thirty thousand volunteers should be accepted, without saying anything of the means, those means would, by the Constitution, have resulted to the discretion of the executive. So if means specified by an act are impracticable, the constitutional power remains, and supplies them. Often the means provided specially are affirmative merely, and, with the constitutional powers, stand well together; so that either may be used, or the one supplementary to the other. This aptitude of means to the end of a law is essentially necessary for those which are executive; otherwise the objection that our government is an impracticable one, would really be verified.

With this general view of our duty as executive officers, I proceed to the questions proposed by you.

1st. Does not the act of Congress contemplate the association of companies to be formed before commissions can be issued to the captains, etc.?

2d. Can battalion or field-officers be appointed by either the State or Congressional laws, but to battalions or regiments actually existing?

3d. The organization of the companies into battalions and regiments belonging to the President, can the Governor of the State issue commissions to these officers before that organization is made and announced to him?

4th. Ought not the volunteers tendering their services, under the act of February 24th, 1807, to be accepted by the President before the commissions can issue?

Had we no other executive powers but those given in this act, the first, second, and third questions would present considerable difficulties, inasmuch as the act of Congress does appear, as you understand it, to contemplate that the companies are to be associated, and the battalions, squadrons, regiments, brigades, and divisions organized, before commissions are to issue. And were we to stop here the law might stop also; because I verily believe that it will be the zeal and activity alone of those destined for commands, which will give form and body to the floating ardor of our countrymen to enter into this service, and bring their wills to a point of union and effect. We know from experience that individuals having the same desires are rarely brought into an association of them, unless urged by some one assuming an agency, and that in military associations the person of the officer is a material inducement. Whether our constitutional powers to carry the laws into execution, would not authorize the issuing a previous commission (as they would, had nothing been said about commissions in the law), is a question not necessary now to be decided; because they certainly allow us to do what will be equally effectual. We may issue instructions or warrants to the persons destined to be captains, etc., authorizing them to

superintend the association of the companies, and to perform the functions of a captain, etc., until commissions may be regularly issued, when such a commission will be given to the bearer, or a warrant authorizing the bearer to superintend the organization of the companies associated in a particular district, into battalions, squadrons, etc., and otherwise to perform the functions of a colonel, etc., until a commission may regularly issue, when such a commission will be given to the bearer. This is certainly within the constitutional powers of the executive, and with such a warrant, I believe, the person bearing it would act with the same effect as if he had the commission.

As to the fourth question, the execution of this law having been transferred to the State executives, I did consider all the powers necessary for its execution as delegated from the President to them. Of this I have been so much persuaded that, to companies offering their services under this law, I have answered that the power of acceptance was in the Governor, and have desired them to renew their offer to him. If the delegation of this power should be expressly made, it is hereby fully delegated.

To the preceding I will add one other observation. As we might still be disappointed in obtaining the whole number of 11,563, were they apportioned among the several districts, and each restrained to its precise apportionment (which some might fail to raise), I think it would better secure the complete

object of the law to accept all proper offers, that the excess of some districts may supply the deficiencies of others. When the acceptances are all brought together, the surplus, if any, will be known, and, if not wanted by the United States, may be rejected; and in doing this, such principles of selection may be adopted as, without any imputation of partiality, may secure to us the best offers. For example, first, we may give a preference to all those who will agree to become regulars, if desired. This is so obviously for the public advantage that no one could object to it. Second, we may give a preference to twelve-month volunteers over those for six months; and other circumstances of selection will of course arise from the face of the offers, such as distribution, geographical position, proportion of cavalry, riflemen, etc.

I have thus, without reserve, expressed my ideas on the several doubts stated in your letters, and I submit them to your consideration. They will need it the more, as the season and other circumstances occasioning the members of the administration to be in a state of separation at this moment, they go without the stamp of their aid and approbation. It is our consolation and encouragement that we are serving a just public, who will be indulgent to any error committed honestly, and relating merely to the means of carrying into effect what they have manifestly willed to be a law.

I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

MONTICELLO, August 12, 1807.

DEAR SIR,—I return you all the papers received in yours of the 9th, except Morrison's letter on the subject of Alston, which, although expressed to be confidential, I send to Mr. Hay under that injunction, merely for his information, should there be other bearings on the same point. In my conscience, I have no doubt as to his participation. To your papers I add some others, particularly respecting the defence of St. Mary's and Beaufort, that you may take them into consideration as a part of the general subject of defence. I sincerely wish this business of levying duty on Creek goods could be stopped. We have no right to make them contribute to the support of our government. The conduct of Captain Isaac is nettling. But what can we do while we are in the wrong? I wonder we hear nothing from Hawkins on the subject. I wish Governor Harrison may be able to have the murder of the Kaskaskian by the Kickapoo settled in the Indian way. I think it would not be amiss for him to bring over Decoigne secretly by a douceur, by which he is easily influenced. I think, too, that if the apprehension of the murderer, Rea, could be effected by our making up Harrison's reward of three hundred dollars to one thousand, it would be well laid out. Both the Indians and our own people want some example of punishment for the murder of an Indian.

With respect to the prophet, if those who are in danger from him would settle it in their own way, it would be their affair. But we should do nothing towards it. That kind of policy is not in the character of our government, and still less of the paternal spirit we wish to show towards that people. But could not Harrison gain over the prophet, who no doubt is a scoundrel, and only needs his price? The best conduct we can pursue to countervail these movements among the Indians, is to confirm our friends by redoubled acts of justice and favor, and to endeavor to draw over the individuals indisposed towards us. The operations we contemplate, should there be occasion for them, would have an imposing effect on their minds, and, if successful, will indeed put them entirely in our power; if no occasion arises for carrying these operations into effect, then we shall have time enough to get the Indian mind to rights. I think it an unlucky time for Governor Hull to press the purchase of their lands, and hope he will not press it. That is the only point on which the Indians feel very sore towards us. If we have war, those lands cannot now be settled; if peace, any future movement will be more favorable.

I really believe that matters in the Chesapeake will remain quiet until further orders from England, and that so soon as you have set all works of preparation into motion, your visit to your family and affairs may be safely made. Be so good as to inform me how I am to address let-

ters which I wish to go to yourself personally during your absence.

Wishing you a happy meeting with your friends, I salute you with affection and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 16, 1807.

DEAR SIR,—I received yesterday your two letters without date, on the subjects now to be answered. I do not see any objection to the appointment of Mr. Cocke, as agent at Martinique. That of a consul at Mogadore is on more difficult ground. A consul in Barbary is a diplomatic character; although the title does not imply that. He receives a salary fixed by the Legislature; being independent of Simpson, we should have two ministers to the same sovereign. I should therefore think it better to leave the port of Mogadore to an agent of Simpson's appointment, and under his control.

If anything Thrasonic and foolish from Spain could add to my contempt of that government, it would be the demand of satisfaction now made by Foronda. However, respect to ourselves requires that the answer should be decent, and I think it fortunate that this opportunity is given to make a strong declaration of facts, to wit, how far our knowledge of Miranda's objects went, what measures we took to prevent anything further, the negli-

gence of the Spanish agents to give us earlier notice, the measures we took for punishing those guilty, and our quiet abandonment of those taken by the Spaniards. But I would not say a word in recrimination as to the western intrigues of Spain. I think that is the snare intended by this protest, to make it a set-off for the other. As soon as we have all the proofs of the western intrigues, let us make a remonstrance and demand of satisfaction, and, if Congress approves, we may in the same instant make reprisals on the Floridas, until satisfaction for that and for spoliations, and until a settlement of boundary. I had rather have war against Spain than not, if we go to war against England. Our southern defensive force can take the Floridas, volunteers for a Mexican army will flock to our standard, and rich pabulum will be offered to our privateers in the plunder of their commerce and coasts. Probably Cuba would add itself to our confederation. The paper in answer to Florida should, I think, be drawn with a view to its being laid before Congress, and published to the world as our justification against the imputation of participation in Miranda's projects.

TO COLONEL ROBERT FULTON.

MONTICELLO, August 16, 1807.

SIR,—Your letter of July 28th, came to hand just as I was about leaving Washington, and it has not been sooner in my power to acknowledge it. I

consider your torpedoes as very valuable means of the defence of harbors, and have no doubt that we should adopt them to a considerable degree. Not that I go the whole length (as I believe you do) of considering them as solely to be relied on. Neither a nation nor those entrusted with its affairs, could be justifiable, however sanguine its expectations, in trusting solely to an engine not yet sufficiently tried, under all the circumstances which may occur, and against which we know not as yet what means of parrying may be devised. If, indeed, the mode of attaching them to the cable of a ship be the only one proposed, modes of prevention cannot be difficult. But I have ever looked to the submarine boat as most to be depended on for attaching them, and though I see no mention of it in your letter, or your publications, I am in hopes it is not abandoned as impracticable. I should wish to see a corps of young men trained to this service. It would belong to the engineers if at hand, but being nautical, I suppose we must have a corps of naval engineers, to practise and use them. I do not know whether we have authority to put any part of our existing naval establishment in a course of training, but it shall be the subject of a consultation with the Secretary of the Navy. General Dearborn has informed you of the urgency of our want of you at New Orleans for the locks there.

I salute you with great respect and esteem.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 17, 1807.

DEAR SIR,—Your favors of the 11th, 12th, and 14th were received yesterday, being the first day for some days past that the obstruction of the water-courses has permitted the post to come through. I now return you the letters of General Matthews and Captain Hardy; I enclose you also two offers of volunteers from Montgomery and Fauquier counties, because they are expressly made under the late act of Congress. I have received a great number of tenders of service at a moment's warning, which, appearing to me to have relation merely to the repelling invasion in the quarter lately violated, and not to intend an absolute engagement for twelve months, I have only accepted generally and vaguely, without relation to the Volunteer Act.

Your letter mentioning the calling into service near the Capes, a company of Infantry, I enclosed to the Secretary at War for his information and opinion, and received his answer yesterday. Your observations satisfy him that Infantry alone can be effectual in that station, and induce him to think that the company of Infantry should be a substitute for that of Cavalry, and that the latter should be discharged. To the weight of his opinion and advice, as the head of the department, is added the apparent fact that the British squadron means to be quiet till orders from England, an intention much

strengthened by the complexion of Captain Hardy's letter now returned. The duty therefore of husbanding our resources for the moment of real want, requires that I should approve his opinion, and recommend the discharge of the troop of Cavalry. The company of Infantry will be as vigilant as they can to cut off supplies from the squadron, according to the proclamation; and it is proper that a daily express from the station of the company to the Norfolk Post Office should be established under your Excellency's direction. I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 18, 1807.

DEAR SIR,—Yours of the 14th and 15th were received yesterday. The former is now returned. I shall, in answer to Mr. Nicholas, say that we cannot lend arms but to volunteers training for immediate service, and that as to a deposit in his neighborhood, we shall in due time take up that subject generally, when just attention will be paid to that section of our country. Our separation at this time having been agreed on, I supposed it equally settled as to yourself that you also would take a recess as soon as the affairs of your office would permit; and that no further approbation on my part could be wanting. However, if it were, I hope you considered my letter of the 12th as expressing it fully, so as not to permit

yourself to be detained for anything further. Wishing you a pleasant journey and happy meeting with your family, I salute you with affection.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 18, 1807.

DEAR SIR,—I return you the papers received yesterday. Mr. Erskine complains of a want of communication between the British armed vessels *in the* Chesapeake, or *off* the coast. If, by *off* the coast, he means those which, being generally in our waters, go occasionally out of them to cruise or to acquire a title to communicate with their consul, it is too poor an evasion for him to expect us to be the dupes of. If vessels *off* the coast, and having never violated the proclamation, wish to communicate with their consul, they may send in by any vessel, without a flag. He gives a proof of their readiness to restore deserters, from an instance of the Chichester lying along-side a wharf at Norfolk. It would have been as applicable if Captain Stopfield and his men had been in a tavern at Norfolk. All this, too, a British sergeant *is ready* to swear to; and further, that he saw British deserters enlisted in their British uniform, by our officer. As this fact is probably false, and can easily be inquired into, names being given, and as the story of the Chichester can be ascertained by Captain Saunders, suppose you

send a copy of the paper to the Secretary of the Navy, and recommend to him having an inquiry made. We ought gladly to procure evidence to hang the privates, if no objection or difficulty occur from the place of trial. If the Driver is the scene of trial, where is she? if in our waters, we can have no communication with her, if out of them, it may be inconvenient to send the witnesses. Although there is neither candor nor dignity in soliciting the victualling the Columbine for four months for a voyage of ten days, yet I think you had better give the permission. It is not by these huckstering manœuvres that the great national question is to be settled. I salute you affectionately.

TO JOHN NICHOLAS.

MONTICELLO, August 18, 1807.

DEAR SIR,—Your favor of the 2d did not reach me till yesterday. That from General Hall, communicating the patriotic resolutions of the county of Ontario, was received the day before. Considering war as one of the alternatives which Congress may adopt on the failure of proper satisfaction for the outrages committed on us by Great Britain, I have thought it my duty to put into train every preparation for that which the executive powers, and the interval left for their exercise, will admit of.

Whenever militia take the field of actual service, the deficiencies of their arms are of course supplied

from the public magazines, and the law also permits us to lend arms to *volunteers* engaged, and training for immediate service. In no case is the loan of arms to militia, remaining at home, permitted or practiced.

The establishment of deposits of arms, to be resorted to when occasion presses, is within the executive direction. A distribution of these deposits, wherever there may be occasion, and in proportion to the probable occasion, either defensive or offensive, is one of the branches of preparation which circumstances call on us to make. It will be done in due time; and although nothing specific can now be said, yet I may safely assure you, that, whenever we proceed to settle the general arrangement, the section of country which is the subject of your letter, shall receive a just portion of our attention and provisions.

I learn with particular satisfaction that volunteers will be readily engaged on that part of our frontier. It is a quarter in which they will be particularly useful. I presume that, in consequence of the call on the several States, the Governor will have put the engagement of volunteers into such a course as will avail us of the favorable disposition which prevails towards that service. I salute you with great esteem and respect.

TO JAMES MADISON.

August 19, 1807.

I suppose Mr. Gamble should be told that his opinion in favor of the appointment of a Consul

General for the Danish islands being founded on the supposition of a war with England, the executive cannot at present act on that ground. It would seem indeed, that in the event of war, our agent or agents in those islands would be very important persons, and should therefore be chosen with care. I presume it would become the best office in the gift of the United States.

It will be very difficult to answer Mr. Erskine's demand respecting the water casks in the tone proper for such a demand. I have heard of one who, having broke his cane over the head of another, demanded payment for his cane. This demand might well enough have made part of an offer to pay the damages done to the Chesapeake, and to deliver up the authors of the murders committed on board her. I return you the papers received yesterday. The Governor has enclosed me a letter from General Matthews of August 13th, mentioning the recent arrival of a ship in the Chesapeake, bearing the flag of a Vice-Admiral; from whence he concludes that Barclay is arrived. I salute you affectionately.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 19, 1807.

DEAR SIR,—I return you the papers received in your letter of the 16th. The Secretary of State communicated to me yesterday a letter from Mr.

Erskine, containing assurances from Governor Thomas Hardy, that he should carefully abstain from acts of violence unless he received orders from his superiors. Although Barclay's character does not give the same confidence, yet I see no reason to doubt that matters will continue, in the Chesapeake, in their present train until they receive orders from their government.

I salute you with esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 19, 1807.

DEAR SIR,—Your letters of August 11th, 12th, 13th, had been before acknowledged, and in mine of this morning I acknowledged yours of the 16th, and returned the papers enclosed in it. Since writing that, I have received another letter of yours of August 11th, which, by an error of the post office, had been sent to a wrong office. I now enclose the papers received in that. They call but for one observation, which is, that the mode of communication by flag, as before directed, must be adhered to. Although credit and indulgence is due to the liberality of Governor T. Hardy, yet armed vessels remaining within our jurisdiction in defiance of the authority of the laws, must be viewed either as rebels, or public enemies. The latter character, it is most expedient to ascribe to them; the laws of intercourse with persons of that description are fixed

and known. If we relinquish them we shall have a new code to settle with those individual offenders, with whom self respect forbids any intercourse but merely for purposes of humanity. A letter which I wrote to the Secretary of State on the 17th, expressed my opinion that we should not higgle with the Columbine as to the quantity of supplies, but let her have what she wants.

These small distresses contribute nothing to the bringing an enemy to reason. It should not be till an abuse of this liberality has taken place, that we should be rigorous in the quantum of supplies. I salute you with great esteem and respect.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, August 20, 1807.

DEAR SIR,—Mr. Appleton, the writer of the enclosed letter, was well known to me at Paris, but not as a man of business. He was young, handsome, and devoted to pleasant pursuits. He is now probably forty-five, and has since been in business, but with what qualifications or success I know not. He was our consul at Calais, his brother is our consul at Leghorn, and his father is (if living) a respectable merchant at Boston. All this leaves still room for inquiry whether he is fit for your agent. While on the subject, if you should be on the look-out, it may be worth your while to inquire after a Colonel Dowse (of the same town with Fisher Ames). He

is a scientific navigator, has made voyages to the East Indies, is a sensible and most upright man, a little too much wrapt up in religious reveries. He has been most firm in his republicanism through all the storms and trials which those sentiments have been exposed to in that State. I write all this from my own knowledge of him; but I do not know he would accept the place and quit the retirement in which he has now been several years.

I enclose you the copy of a letter I wrote Mr. Fulton. I wait his answer as to the submarine boat, before I make you the proposition in form. The very name of a corps of submarine engineers would be a defence. Mr. Nicholas and his family left this neighborhood in health the day I arrived in it. We do not give up the hope of seeing Mrs. Smith and yourself here. I salute you with affection and respect.

TO THE SECRETARY OF THE TREASURY.

(ALBERT GALLATIN.)

MONTICELLO, August 20, 1807.

DEAR SIR,—On the death of Imlay, loan officer of Connecticut, Jonathan Bull (Judge Bull) is well recommended as his successor by a number of republicans, and by Mr. Wolcott, in a special letter. A Ralph Pomeroy, of Hartford, solicits it for himself, but sends no recommendations. Those of Bull would leave me with little doubt of the propriety of his nomination; but as you can so conveniently

make inquiry respecting him, I will pray you to do it, and to communicate the result to me with as little delay as convenient, in order to preclude other solicitations.

All my information from the Capes of Chesapeake, confirms the opinion that the present quiet train of things there is to be continued till further orders. The interdicted officers are extremely averse to our mode of communication by flag. But being considered as enemies rather than rebels, while here in defiance, no other communication will be allowed. Burr's trial goes on to the astonishment of all, as to the manner of conducting it. I salute you with affection and respect.

TO JAMES MADISON.

MONTICELLO, August 20, 1807.

Your letter to Dayton I think perfectly right, unless, perhaps, the expression of personal sympathy in the first page might be misconstrued, and, coupled with the circumstance that we had not yet instituted a prosecution against him, although possessed of evidence. Poor Yznardi seems to have been worked up into distraction by the persecutions of Meade. I enclose you a letter I have received from him. Also one from Warden, attested by Armstrong, by which you will see that the feuds there are not subsiding.

By yesterday's, or this day's mails, you will have

received the information that Bonaparte has annihilated the allied armies. The result will doubtless be peace on the continent, an army despatched through Persia to India, and the main army brought back to their former position on the channel. This will oblige England to withdraw everything home, and leave us an open field. An account, apparently worthy of credit, in the Albany paper, is, that the British are withdrawing all their cannon and magazines from Upper Canada to Quebec, considering the former not tenable, and the latter their only fast-hold.

I salute you with sincere affection.

P. S. I had forgotten to express my opinion that deserters ought never to be enlisted; but I think you may go further and say to Erskine, that if ever such a practice has prevailed, it has been without the knowledge of the Government, and would have been forbidden, if known, and if any examples of it have existed, (which is doubted,) they must have been few, or they would have become known. The case presented from the Chichester, if true, does not prove the contrary, as the persons there said to have been enlisted are believed to have been American citizens, who, whether impressed or enlisted into the British service, were equally right in returning to the duties they owed to their own country.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 20, 1807.

DEAR SIR,—Colonel Newton's inquiries are easily solved, I think, by application of the principles we have assumed. 1. The *interdicted* ships are *enemies*. Should they be forced, by stress of weather, to run up into safer harbors, we are to act towards them as we would towards enemies in regular war, in like case. Permit no intercourse, no supplies; and if they land, kill or capture them as enemies. If they lie still, Decatur has orders not to attack them without stating the case to me, and awaiting instructions. But if they attempt to enter Elizabeth river, he is to attack them without waiting for instructions. 2. Other armed vessels, putting in from sea in distress, are *friends*. They must report themselves to the collector, he assigns them their station, and regulates their repairs, supplies, intercourse and stay. Not needing flags, they are under the direction of the collector alone, who should be reasonably liberal as to their repairs and supplies, furnishing them for a voyage to any of their American ports; but I think with him their crews should be kept on board, and that they should not enter Elizabeth river.

I remember Mr. Gallatin expressed an opinion that our negotiations with England should not be laid before Congress at their meeting, but reserved to

be communicated all together with the answer they should send us, whenever received. I am not of this opinion. I think, on the meeting of Congress, we should lay before them everything that has passed to that day, and place them on the same ground of information we are on ourselves. They will then have time to bring their minds to the same state of things with ours, and when the answer arrives, we shall all view it from the same position. I think, therefore, you should order the whole of the negotiation to be prepared in two copies. I salute you affectionately.

TO GEORGE HAY.

MONTICELLO, August 20, 1807.

DEAR SIR,—I received yesterday your favor of the 11th. An error of the post office had occasioned the delay. Before an impartial jury, Burr's conduct would convict himself, were not one word of testimony to be offered against him. But to what a state will our law be reduced by party feelings in those who administer it? Why do not Blennerhasset, Dayton, etc., demand private and comfortable lodgings? In a country where an equal application of law to every condition of man is fundamental, how could it be denied to them? How can it ever be denied to the most degraded malefactor? The enclosed letter of James Morrison, covering a copy of one from Alston to Blenner-

hasset, came to hand yesterday. I enclose them, because it is proper all these papers should be in one deposit, and because you should know the case and all its bearings, that you may understand whatever turns up in the cause. Whether the opinion of the letter writer is sound, may be doubted. For, however these, and other circumstances which have come to us, may induce us to believe that the bouncing letter he published, and the insolent one he wrote to me, were intended as blinds, yet they are not sufficient for legal conviction. Blennerhasset and his wife could possibly tell us enough. I commiserate the suffering you have to go through in such a season, and salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 28, 1807.

DEAR SIR,—I had had the letter of Mr. Jouett of July 6th from Chicago, and that from Governor Hull, of July 14th, from Detroit, under consideration some days, when the day before yesterday I received that of the Governor of July 25th.

While it appeared that the workings among the Indians of that neighborhood proceeded from their prophet chiefly, and that his endeavors were directed to the restoring them to their ancient mode of life, to the feeding and clothing themselves with the produce of the chase, and refusing all those articles

of meat, drink, and clothing, which they can only obtain from the whites, and are now rendered necessary by habit, I thought it a transient enthusiasm, which, if let alone, would evaporate innocently of itself; although visibly tinctured with a partiality against the United States. But the letters and documents now enclosed give to the state of things there a more serious aspect; and the visit of the Governor of Upper Canada, and assembling of the Indians by him, indicate the object to which these movements are to point. I think, therefore, we can no longer leave them to their own course, but that we should immediately prepare for war in that quarter, and at the same time redouble our efforts for peace.

I propose, therefore, that the Governors of Michigan, Ohio, and Indiana, be instructed immediately to have designated, according to law, such proportions of their militia as you shall think advisable, to be ready for service at a moment's warning, recommending to them to prefer volunteers as far as they can be obtained, and of that description fitted for Indian service.

That sufficient stores of arms, ammunition and provision, be deposited in convenient places for any expedition which it may be necessary to undertake in that quarter, and for the defence of the posts and settlements there; and that the object of these preparations be openly declared, as well to let the Indians understand the danger they are bringing on themselves, as to lull the suspicion of any other object.

That at the same time, and while these preparations for war are openly going on, Governors Hull and Harrison be instructed to have interviews by themselves or well-chosen agents, with the chiefs of the several tribes in that quarter, to recall to their minds the paternal policy pursued towards them by the United States, and still meant to be pursued. That we never wished to do them an injury, but on the contrary, to give them all the assistance in our power towards improving their condition, and enabling them to support themselves and their families; that a misunderstanding having arisen between the United States and the English, war may possibly ensue. That in this war it is our wish the Indians should be quiet spectators, not wasting their blood in quarrels which do not concern them; that we are strong enough to fight our own battles, and therefore ask no help; and if the English should ask theirs, it should convince them that it proceeds from a sense of their own weakness which would not augur success in the end; that at the same time, as we have learnt that some tribes are already expressing intentions hostile to the United States, we think it proper to apprise them of the ground on which they now stand; for which purpose we make to them this solemn declaration of our unalterable determination, that we wish them to live in peace with all nations as well as with us, and we have no intention ever to strike them or to do them an injury of any sort, unless first attacked or threatened;

but that learning that some of them meditate war on us, we too are preparing for war against those, and those only who shall seek it; and that if ever we are constrained to lift the hatchet against any tribe, we will never lay it down till that tribe is exterminated, or driven beyond the Mississippi. Adjuring them, therefore, if they wish to remain on the land which covers the bones of their fathers, to keep the peace with a people who ask their friendship without needing it, who wish to avoid war without fearing it. In war, they will kill some of us; we shall destroy all of them. Let them then continue quiet at home, take care of their women and children, and remove from among them the agents of any nation persuading them to war, and let them declare to us explicitly and categorically that they will do this: in which case, they will have nothing to fear from the preparations we are now unwillingly making to secure our own safety?

These ideas may form the substance of speeches to be made to them, only varying therein according to the particular circumstances and dispositions of particular tribes; softening them to some, and strengthening them as to others. I presume, too, that such presents as would show a friendly liberality should at the same time be made to those who unequivocally manifest intentions to remain friends; and as to those who indicate contrary intentions, the preparations made should immediately look towards them; and it will be a subject for consideration

whether, on satisfactory evidence that any tribe means to strike us, we shall not anticipate by giving them the first blow, before matters between us and England are so far advanced as that their troops or subjects should dare to join the Indians against us. It will make a powerful impression on the Indians, if those who spur them on to war, see them destroyed without yielding them any aid. To decide on this, the Governors of Michigan and Indiana should give us weekly information, and the Postmaster General should immediately put the line of posts to Detroit into the most rapid motion. Attention, too, is requisite to the safety of the post at Michillimacinac.

I send this letter open to the Secretary of State, with a desire that, with the documents, it may be forwarded to the Secretary of the Navy, at Baltimore, the Attorney General, at Wilmington, the Secretary of the Treasury, at New York, and finally to yourself; that it may be considered only as the origination of a proposition to which I wish each of them to propose such amendments as their judgment shall approve, to be addressed to yourself; and that from all our opinions you will make up a general one, and act on it without waiting to refer it back to me.

I salute you with great affection and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 30, 1807.

DEAR SIR,—There can be no doubt that Fronda's claim for the money advanced to Lieutenant Pike should be repaid, and while his application to yourself is the proper one, we must attend to the moneys being drawn from the proper fund, which is that of the war department. I presume, therefore, it will be necessary for you to apply to General Dearborn to furnish the money. Will it not be proper to rebut Fronda's charge of this government sending a spy to Santa Fé, by saying that this government has never employed a spy in any case, and that Pike's mission was to ascend the Arkansas and descend the Red river, for the purpose of ascertaining their geography; that, as far as we are yet informed, he entered the waters of the North river, believing them to be those of the Red river; and that, however certain we are of a right extending to the North river, and participating of its navigation with Spain, yet Pike's voyage was not intended as an exercise of that right, which we notice here, merely because he had chosen to deny it; a question to be settled in another way.

From the present state of the tranquillity in the Chesapeake, and the probability of its continuance, I begin to think the daily mail may soon be discontinued, and an extra mail once a week substituted, to leave Fredericksburg Sunday morning, and

Milton Wednesday morning. This will give us two mails a week. I should propose this change for September 9th, which is the day I set out for Bedford, and will exactly close one month of daily mail. What do you think of it? Affectionate salutations.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

MONTICELLO, August 31, 1807.

DEAR SIR,—Mr. Madison will have written to you on the subject of a demand of $1,000 furnished to Lieutenant Pike, to be repaid to Fronda, which of course must come out of the military fund.

I enclose you an application from Mr. Graham for a commission in the army for a Mr. Lithgow, relation of Mr. Henderson, who solicits it, and who, I think, has a just claim for the gratification.

I enclose you also a letter from Captain Brent to Mr. Coles on the subject of their commissions. They presented to me a list of names engaged, and of the officers they had chosen. I do not remember the words of my answer; but the idea meant to be expressed was only that the officers should be commissioned. I had no idea of fixing a date for them before they should have raised what could be accepted as a troop. They seem to have understood the date of my acceptance as the proper date of their commissions. I told Mr. Coles I would consult you; and that my own idea was to inquire what was the smallest number ever admitted as a

troop or company, and let their commissions have the date of the day on which they had engaged that number. This may be the subject of conversation when we meet.

I send you a paper on the defence of the mouth of the Chesapeake. We never expect from the writer a detailed, well-digested and practicable plan; but good ideas and susceptible of improvement sometimes escape from him. The first question is, whether works on the shore of Lynhaven may not be constructed for dislodging an enemy from that bay by throwing bombs? and whether they can lie there in safety out of the reach of bombs? There is no other place where they can lie in safety so near the Capes, not to be in danger of being intercepted by gunboats, and attacked with the advantage of weather. 2d. May not artificial harbors be made on the middle grounds and Horseshoe for the reception of gunboats, with cavaliers for the discharge of bombs? and will not these two points and Lynhaven thus command all the mouth of the bay? To answer these questions will require an accurate survey of the whole field, which, if we have not, we should direct to be made. It is an important fact that the middle grounds have been seen bare; and that both these and the Horseshoe are always shoal. Cannot cassoons filled with stone, and of the shape of truncated wedges, be sunk there in close order so as to enclose a harbor for gunboats, of such a height as that the sea shall not go over it in the highest

tides, and of base proportioned to the height and sufficient to resist the force of the water? The nearest stone is up James river above the Hundred, and up York river above West Point, from whence however it can be brought in ships of size. At New York, they calculate on depositing their stone for from 4 to 5 cents the cubic foot. If it costs the double here, the amount would not be disproportioned to the object, if we consider what a vast extent of coast on the Chesapeake and its waters will otherwise be depredated or secured by works and troops in detail. I throw out these thoughts now that they may be under your consideration, while making up the general statement of defensive works for the seacoast. Present my respects to Mrs. Dearborn, and accept my affectionate salutations.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, September 1, 1807.

DEAR SIR,—I think with you we had better send to Algiers some of the losing articles in order to secure peace there while it is uncertain elsewhere. While war with England is probable, everything leading to it with every other nation should be avoided, except with Spain. As to her, I think it the precise moment when we should declare to the French government that we will instantly seize on the Floridas as reprisal for the spoliations denied

us, and, that if by a given day they are paid to us, we will restore all east of the Perdido, and hold the rest subject to amicable discussion. Otherwise, we will hold them forever as compensation for the spoliations. This to be a subject of consideration when we assemble.

One reason for suggesting the discontinuance of the daily post was, that it is not kept up by contract, but at the expense of the United States. But the principal reason was to avoid giving ground for clamor. The general idea is, that those who receive annual compensations should be constantly at their posts. Our constituents might not in the first moment consider 1st, that we all have property to take care of, which we cannot abandon for temporary salaries; 2d, that we have health to take care of, which at this season cannot be preserved at Washington; 3d, that while at our separate homes our public duties are fully executed, and at much greater personal labor than while we are together when a short conference saves a long letter. I am aware that in the present crisis some incident might turn up where a day's delay might infinitely overweigh a month's expense of the daily post. Affectionate salutations.

TO THOMAS COOPER.

MONTICELLO, September 1, 1807.

DEAR SIR,—Your favor of the 9th is received, and with it the copy of Dr. Priestley's Memoirs, for

which I return you many thanks. I shall read them with great pleasure, as I revered the character of no man living more than his. With another part of your letter I am sensibly affected. I have not here my correspondence with Governor McKean to turn to, but I have no reason to doubt that the particular letter referred to may have been silent on the subject of your appointment as stated. The facts are these: The opinion I have ever entertained, and still entertain as strongly as ever, of your abilities and integrity, was such as made it my wish, from the moment I came to the administration, that you should be employed in some public way. On a review, however, of all circumstances, it appeared to me that the State of Pennsylvania had occasions for your service, which would be more acceptable than any others to yourself because they would leave you in the enjoyment of the society of Dr. Priestley, to which your attachment was known. I therefore expressed my solicitude respecting you to Governor McKean, whose desires to serve yourself and the public by employing you I knew to be great, and of course that you were an object of mutual concern, and I received his information of having found employment for your talents with the sincerest pleasure. But pressed as I am perpetually by an overflow of business, and adopting from necessity the rule of never answering any letter, or part of a letter, which can do without answer, in replying to his which related to other subjects, I probably said

nothing on that, because my former letter had sufficiently manifested how pleasing the circumstance must be to me, and my time and practice did not permit me to be repeating things already said. This is a candid statement of that incident, and I hope you will see in it a silence accounted for on grounds far different from that of a continuance of my estimation and good wishes, which have experienced no change. With respect to the schism among the republicans in your State, I have ever declared to both parties that I consider the general government as bound to take no part in it, and I have carefully kept both my judgment, my affections, and my conduct, clear of all bias to either. It is true, as you have heard, that a distance has taken place between Mr. Clay and myself. The cause I never could learn nor imagine. I had always known him to be an able man, and I believed him an honest one. I had looked to his coming into Congress with an entire belief that he would be cordial with the administration, and even before that I had always had him in my mind for a high and important vacancy which had been from time to time expected, but is only now about to take place. I feel his loss, therefore, with real concern, but it is irremediable from the necessity of harmony and cordiality between those who are to manage together the public concerns. Not only his withdrawing from the usual civilities of intercourse with me, (which even the federalists with

two or three exceptions keep up,) but his open hostility in Congress to the administration, leave no doubt of the state of his mind as a fact, although the cause be unknown. Be so good as to communicate my respects to Mr. Priestley, and to accept yourself my friendly salutations, and assurances of unaltered esteem.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, September 2, 1807.

DEAR SIR,—My letter of August 28th, on the dispositions of the Indians, was to go the rounds of all our brethren, and to be finally sent to you with their separate opinions. I think it probable, therefore, that the enclosed extract of a letter from a priest at Detroit to Bishop Carroll, may reach you as soon, or sooner, than that. I therefore forward it, because it throws rather a different light on the dispositions of the Indians from that given by Hull and Dunham. I do not think, however, that it ought to slacken our operations, because those proposed are all precautionary. But it ought absolutely to stop our negotiations for land, otherwise the Indians will think that these preparations are meant to intimidate them into a sale of their lands, an idea which would be most pernicious, and would poison all our professions of friendship to them. The immediate acquisition of the land is of less consequence to us than their friendship and a

thorough confidence in our justice. We had better let the purchase lie till they are in better temper. I salute you with affection and respect.

TO THE SECRETARY OF THE NAVY.
(JACOB CROWNINSHIELD.)

MONTICELLO, September 3, 1807.

DEAR SIR,—Your letters of August 23d, 27th, 29th, and 30th, have all been received; the two last came yesterday. I observe that the merchants of New York and Philadelphia think that notice of our present crisis with England should be sent to the Straits of Sunda by a public ship, but that such a vessel going to Calcutta, or into the Bay of Bengal, would give injurious alarm; while those of Baltimore think such a vessel going to the Straits of Sunda would have the same effect. Your proposition, very happily in my opinion, avoids the objections of all parties; will do what some think useful and none think injurious. I therefore approve of it. To wit, that by some of the private vessels now going, instruction from the Department of State be sent to our Consul at the Isle of France, to take proper measures to advise all our returning vessels, as far as he can, to be on their guard against the English, and that we now appoint and send a Consul to Batavia, to give the same notice to our vessels returning through the Straits of Sunda. For this purpose I sign a blank sheet of paper, over which signature the Secretary of State will have a consular

commission written, leaving a blank for the name to be filled up by yourself with the name of such discreet and proper person as shall be willing to go. If he does not mean to reside there as Consul, we must bear his expenses out and in, and compensate his time. I presume you will receive this commission, and the papers you sent me through the Secretary of State, on the 8th.

I approve of the orders you gave for intercepting the pirates, and that they were given as the occasion required, without waiting to consult me, which would have defeated the object. I am very glad indeed that the piratical vessel and some of the crew have been taken, and hope the whole will be taken; and that this has been done by the militia. It will contribute to show the expediency of an organized naval militia.

I send you the extract of a letter I lately wrote to General Dearborn on the defence of the Chesapeake. Your situation will better enable you to make inquiries into the practicability of the plan than he can. If practicable, it is all-important.

I do not see the probability of receiving from Great Britain reparation for the wrong committed on the Chesapeake, and future security for our seamen, in the same favorable light with Mr. Gallatin and yourself. If, indeed, the consequence of the battle of Friedland can be to exclude her from the Baltic, she may temporize with us. But if peace among the *continental* powers of Europe should leave her

free in her intercourse with the powers who will then be *neutral*, the present ministry, perhaps no ministry which can now be formed, will not in my opinion give us the necessary assurance respecting our flag. In that case, it must bring on a war soon, and if so, it can never be in a better time for us. I look to this, therefore, as most probably now to take place, altogether I do most sincerely wish that a just and sufficient security may be given us, and such an interruption of our property avoided. I salute you with affection and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, September 3, 1807.

DEAR SIR,—Mr. Smith's letter of August 29th and the papers it enclosed, and which are now re-enclosed, will explain to you the necessity of my confirming his proposition as to the means of apprising our East India commerce of their danger, without waiting for further opinions on the subject. You will see that it throws on you the immediate burden of giving the necessary instructions with as little delay as possible, lest the occasion by the vessels now sailing should be lost. Be so good as to return me his two letters, and to seal and forward on to him mine, and the other papers. Affectionate salutations.

TO THE SECRETARY OF STATE.

MONTICELLO, September 3, 1807.

DEAR SIR,—After writing to Mr. Smith my letter of yesterday, by the post of that day, I received one from him now enclosed, and covering a letter from Mr. Crownenshield on the subject of notifying our East India trade. To this I have written the answer herein, which I have left open for your perusal, with Crownenshield's letter, praying that you will seal and forward them immediately, with any considerations of your own, addressed to Mr. Smith, which may aid him in the decision I refer to him. I do not give to the newspaper and parliamentary scraps the same importance you do. I think they all refer to the convention of limits sent us in the form of a project, brought forward only as a sop of the moment for Parliament and the public. Nothing but an exclusion of Great Britain from the Baltic will dispose her to peace with us, and to defer her policy of subsisting her navy by the general plunder of nations.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, September 4, 1807.

DEAR SIR,—I had written to you yesterday on the subject of notifying our East India trade, in answer to yours of the 29th of August, and approving your proposition of giving the notice to our

trade beyond the Straits of Sunda, by a consul specially sent to Batavia, and to that on this side by our consul at the Isle of France. Since writing that letter, I have received yours of the 31st, covering Mr. Crownenshield's. This letter shows a great and intimate knowledge of the subject, and points out so many various circumstances which may require a variation in the course to be pursued, that it confirms me in the opinion that it must be confided to the discretion of a well-chosen agent, governing himself by circumstances as they may occur. I think it possible, however, from Mr. Crownenshield's letter, that we may not have done the best in our power for notifying Madras, and the other ports in the Bay of Bengal. I refer it to yourself, therefore, to decide on the advice you can so readily get at Baltimore, whether we should not despatch a third person, with instructions to procure himself a passage in any private vessel which may be going from this country to any port in the Bay of Bengal, or to any other port from which he can probably get a passage to some port in the Bay of Bengal, and from whence he can notify the other ports in the same bay, either by personally visiting them or by writing. Such a person should carry with him your commission as an agent of the navy, to obtain credence by secretly exhibiting that to those he should notify. I return you Mr. Crownenshield's and Mr. Gallatin's letters. I shall be absent from this place from the 9th to the 16th inst. Mr. Madi-

son will be with me to-morrow, on a visit of some days. I salute you with affection and respect.

TO GEORGE HAY.

MONTICELLO, September 4, 1807.

DEAR SIR,—Yours of the 1st came to hand yesterday. The event has been * * * * * * * * * that is to say, not only to clear Burr, but to prevent the evidence from ever going before the world. But this latter case must not take place. It is now, therefore, more than ever indispensable, that not a single witness be paid or permitted to depart until his testimony has been committed to writing, either as delivered in court, or as taken by yourself in the presence of any of Burr's counsel, who may choose to attend to cross-examine. These whole proceedings will be laid before Congress, that they may decide, whether the defect has been in the evidence of guilt, or in the law, or in the application of the law, and that they may provide the proper remedy for the past and the future. I must pray you also to have an authentic copy of the record made out (without saying for what) and to send it to me; if the Judge's opinions make out a part of it, then I must ask a copy of them, either under his hand, if he delivers one signed, or duly proved by affidavit.

The criminal is preserved to become the rallying point of all the disaffected and the worthless of

the United States, and to be the pivot on which all the intrigues and the conspiracies which foreign governments may wish to disturb us with, are to turn. If he is convicted of the misdemeanor, the Judge must in decency give us respite by some short confinement of him; but we must expect it to be very short. Be assured yourself, and communicate the same assurance to your colleagues, that your and their zeal and abilities have been displayed in this affair to my entire satisfaction and your own honor.

I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, September 6, 1807.

DEAR SIR,—I enclose you the letters of Mr. Granger and Mr. J. Nicholas, by the latter of which you will see that an Indian rupture in the neighborhood of Detroit becomes more probable, if it has not already taken place. I see in it no cause for changing the opinion given in mine of August 28, but on the contrary, strong reason for hastening the measures therein recommended. We must make ever memorable examples of the tribe or tribes which shall have taken up the hatchet.

I salute you with affection and respect.

TO THOMAS PAINE.

MONTICELLO, September 6, 1807.

DEAR SIR,—I received last night your favor of August 29, and with it a model of a contrivance for making one gunboat do nearly double execution. It has all the ingenuity and simplicity which generally mark your inventions. I am not nautical enough to judge whether two guns may be too heavy for the bow of a gunboat, or whether any other objection will countervail the advantage it offers, and which I see visibly enough. I send it this day to the Secretary of the Navy, within whose department it lies to try and to judge it. Believing, myself, that gunboats are the only *water* defence which can be useful to us, and protect us from the ruinous folly of a navy, I am pleased with everything which promises to improve them.

The battle of Friedland, armistice with Russia, conquest of Prussia, will be working on the British stomach when they will receive information of the outrage they have committed on us. Yet, having entered on the policy proposed by their champion "war in disguise," of making the property of all nations lawful plunder to support a navy which their own resources cannot support, I doubt if they will readily relinquish it. That war with us had been predetermined may be fairly inferred from the diction of Berkley's order, the Jesuitism of which proves it ministerial from its being so timed as to

find us in the midst of Burr's rebellion as they expected, from the contemporaneousness of the Indian excitements, and of the wide and sudden spread of their maritime spoliations. I salute you with great esteem and respect.

TO GEORGE HAY, ESQ., ATTORNEY FOR THE U. S., BEFORE THE DISTRICT OF VIRGINIA.

MONTICELLO, September 7, 1807.

SIR,—Understanding that it is thought important that a letter of November 12, 1806, from General Wilkinson to myself, should be produced in evidence on the charges against Burr, depending in the District Court now sitting in Richmond, I send you a copy of it, omitting only certain passages, the nature of which is explained in the certificate subjoined to the letter. As the attorney for the United States, be pleased to submit the copy and certificate to the uses of the Court. I salute you with great esteem and respect.

P. S. On re-examination of a letter of November 12, 1806, from General Wilkinson to myself, (which having been for a considerable time out of my possession, and now returned to me,) I find in it some passages entirely confidential, given for my information in the discharge of my executive functions, and which my duties and the public interest forbid me to make public. I have therefore given above

a correct copy of all those parts which I ought to permit to be made public. Those not communicated are in nowise material for the purposes of justice on the charges of treason or misdemeanor depending against Aaron Burr; they are on subjects irrelevant to any issues which can arise out of those charges, and could contribute nothing towards his acquittal or conviction. The papers mentioned in the 1st and 3d paragraphs, as enclosed in the letters, being separated therefrom, and not in my possession, I am unable, from memory, to say what they were. I presume they are in the hands of the attorney for the United States. Given under my hand this 7th day of September, 1807.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, September 7, 1807.

DEAR SIR,—I now return you Major Newton's letters. The intention of the squadron in the bay is so manifestly pacific, that your instructions to him are perfectly proper, not to molest their boats merely for approaching the shore. While they are giving up slaves and citizen seamen, and attempting nothing ashore, it would not be well to stop this by any new restriction. If they come ashore indeed, they must be captured, or destroyed if they cannot be captured, because we mean to enforce the proclamation rigorously in preventing supplies. So the instructions already given as to intercourse by flag,

as to sealed and unsealed letters, must be strictly adhered to. It is so material that the seaport towns should have artillery militia duly trained, that I think you have done well to permit Captain Nestell's company to have powder and ball to exercise. With respect to gun-carriages, furnaces and clothes, I am so little familiar with the details of the War Department that I must beg those subjects to lie till the return of the Secretary at War, which will be in three weeks. Proposing to be absent from this place from the 9th to the 16th instant, our daily post will be suspended during that interval. I salute you with great esteem and respect.

TO GEORGE HAY.

MONTICELLO, September 7, 1807.

DEAR SIR,—I received, late last night, your favor of the day before, and now re-enclose you the subpœna. As I do not believe that the district courts have a power of *commanding* the executive government to abandon superior duties and attend on them, at whatever distance, I am unwilling, by any notice of the subpœna, to set a precedent which might sanction a proceeding so preposterous. I enclose you, therefore, a letter, public and for the court, covering substantially all they ought to desire. If the papers which were enclosed in Wilkinson's letter may, in your judgment, be communicated without injury, you will be pleased to communicate them. I return you the original letter.

I am happy in having the benefit of Mr. Madison's counsel on this occasion, he happening to be now with me. We are both strongly of opinion, that the prosecution against Burr for misdemeanor should proceed at Richmond. If defeated, it will heap coals of fire on the head of the Judge; if successful, it will give time to see whether a prosecution for treason against him can be instituted in any, and what other court. But we incline to think, it may be best to send Blennerhasset and Smith (Israel) to Kentucky, to be tried both for the treason and misdemeanor. The trial of Dayton for misdemeanor may as well go on at Richmond.

I salute you with great esteem and respect.

TO THE SECRETARY OF THE NAVY.
(JACOB CROWNINSHIELD.)

MONTICELLO, September 8, 1807.

DEAR SIR,—Mr. Madison, who is with me, suggests the expediency of immediately taking up the case of Captain Porter, against whom you know Mr. Erskine lodged a very serious complaint, for an act of violence committed on a British seaman in the Mediterranean. While Mr. Erskine was reminded of the mass of complaints we had against his government for similar violences, he was assured that contending against such irregularities ourselves, and requiring satisfaction for them, we did not mean to follow the example, and that on Captain Porter's return, it should be properly

inquired into. The sooner this is done the better; because if Great Britain settles with us satisfactorily all our subsisting differences, and should require in return, (to have an appearance of reciprocity of wrong as well as redress,) a marked condemnation of Captain Porter, it would be embarrassing were that the only obstacle to a peaceable settlement, and the more so as we cannot but disavow his act. On the contrary, if we immediately look into it, we shall be more at liberty to be moderate in the censure of it, on the very ground of British example; and the case being once passed upon, we can more easily avoid the passing on it a second time, as against a settled principle. It is therefore to put it in our power to let Captain Porter off as easily as possible, as a valuable officer whom we all wish to favor, that I suggest to you the earliest attention to the inquiry, and the promptest settlement of it. I set out to-morrow on a journey of 100 miles, and shall be absent eight or nine days. I salute you affectionately.

TO JOHN CRAWFORD.

MONTICELLO, September 8, 1807.

Thomas Jefferson presents his compliments to Mr. Crawford, and his thanks for his Observations on Quarantines, which he has read with great pleasure. Not himself a friend to quarantines, nor having confidence in their efficacy, even if they are necessary, he sees with pleasure every effort to

lessen their credit. But the theory which derives all infection, and ascribes to unseen animals the effects hitherto believed to be produced by it, is as yet too new and unreceived to justify the public servants in resting thereon the public health, until time and further investigation shall have sanctioned it by a more general confidence. He salutes Mr. Crawford with great respect.

TO THE SECRETARY OF THE TREASURY.

(ALBERT GALLATIN.)

MONTICELLO, September 8, 1807.

DEAR SIR,—Yours of the 2d is received, and I have this day directed commissions for Bull, Hubbell, and for Benajah Nicholls of North Carolina, as Surveyor of the port of Windsor, v. Simeon Turner, resigned. This last is on the recommendation of Alston.

You know that the merchants of New York and Philadelphia were of opinion that a public vessel sent into the Bay of Bengal to notify our trade there, would in fact increase the danger of our vessels. The most intelligent merchants of Baltimore, consulted by Mr. Smith, were of the same opinion as to the Straits of Sunda. It was therefore concluded between Mr. Smith, Mr. Madison, and myself, (time not admitting further consultation,) that it would be best to make a Consul for Batavia, (there being none,) and send him to his post by a private vessel, with instructions to take the best measures

he could for notifying all our trade beyond the Straits, to instruct our Consul at the Isle of France to do the same to all on this side, and moreover to send a special agent by any private conveyance to be obtained, to go from port to port in the Bay of Bengal, to give private notice to the vessels there. As several vessels were on their departure for those seas from Philadelphia and Baltimore, it is trusted that this arrangement will effect all the good proposed, and avoid all the evil apprehended at the different places which were consulted.

I set out to-morrow to Bedford, and shall be absent eight days. I shall leave this on the 30th, and be in Washington the 3d of October, ready for our meeting on the 5th. I salute you affectionately.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, September 18, 1807.

SIR,—On my return to this place yesterday I found your favor of the 15th, and now return the papers it covered. I am glad to see the temperate complexion of Lowrie's correspondence. I presume the intelligence from England since the arrival there of the information respecting the Chesapeake, will produce a moderate deportment in their officers. Your instructions to Major Newton on the opening of letters, are perfectly consonant with the rules laid down. With respect to the mode of furnishing

the troops with provisions through any other channel than that of the public contractor, I am unable to say anything, being not at all acquainted with the arrangements of the War Department on that subject. I enclose you a letter I have received from a Mr. Belcher, of Gloster, giving reason to believe there have been some contraventions of the Proclamation there which ought to be punished if they can be detected. I salute you with great esteem and respect.

TO JAMES MADISON.

MONTICELLO, September 18, 1807.

I returned here yesterday afternoon and found, as I might expect, an immense mass of business. With the papers received from you, I enclose you some others which will need no explanation. I am desired by the Secretary of the Navy to say what must be the conduct of Commodore Rogers, at New York, on the late or any similar entry of that harbor by the British armed vessels. I refer him to the orders to Decatur as to what he was to do if the vessels in the Chesapeake: 1. Remain quiet in the Bay. 2. Come to Hampton road. 3. Enter Elizabeth river, and recommend an application of the same rules to New York, accommodated to the localities of the place. Should the British government give us reparation of the past, and security for the future, yet the continuance of their vessels in

our harbors in defiance constitutes a new injury, which will not be included in any settlement with our ministers, and will furnish good ground for declaring their future exclusion from our waters, in addition with the other reasonable ground before existing. Our Indian affairs in the northwest on the Missouri, and at the Natchitoches, wear a very unpleasant aspect. As to the first all I think is done which is necessary. But for this and other causes, I am anxious to be again assembled. I have a letter from Connecticut. The prosecution there will be dismissed this term on the ground that the case is not cognizable by the courts of the United States. Perhaps you can intimate this where it will give tranquillity. Affectionate salutations.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, September 18, 1807.

DEAR SIR,—On my return yesterday I found yours of the 10th, and now re-enclose you Commodore Rogers' letter. You remember that the orders to Decatur were to leave the British ships unmolested so long as they laid quiet in the Bay; but if they should attempt to enter Elizabeth river to attack them with all his force. The spirit of these orders should, I think, be applied to New York. So long as the British vessels merely enter the Hook, or remain quiet there, I would not precipitate hos-

tilities. I do not sufficiently know the geography of the harbor to draw the line which they should not pass. Perhaps the narrows, perhaps some other place which yourself or Commodore Rogers can fix with the aid of the advice he can get in New York. But a line should be drawn which if they attempt to pass, he should attack them with all his force. Perhaps he would do well to have his boats ordinarily a little without the line to let them see they are not to approach it; but whether he can lay there in safety, *ordinarily*, he must judge. But if the British vessels continue at the Hook, great attention should be paid to prevent their receiving supplies or their landing, or having any intercourse with the shore or other vessels. I left Mr. Nicholas's yesterday morning: he is indisposed with his annual influenza. Mrs. Nicholas is well. I shall be at Washington on the 3d proximo. Affectionate salutations.

TO ROBERT BRENT, ESQ.

MONTICELLO, September 19, 1807.

SIR,—I have just received your favor of the 8th, informing me that the Board of Trustees for the public school in Washington had unanimously reappointed me their President. I pray you to present to them my thanks for the mark of their confidence, with assurances that I shall at all times be ready to render to the Institution any services which shall be in my power. Accept yourself my salutations, and assurances of great respect and esteem.

Resignation of General Washington at Annapolis

(December 23, 1783)

Reproduced from the Original Painting by John Trumbull in the Rotunda of the Capitol at Washington.

Extract from the Journal of Congress, December 23, 1783.

According to order, his Excellency, the Commander-in-Chief, was admitted to a public audience, and being seated, the President, after a pause, informed him that the United States, in Congress assembled, were prepared to receive his communication, whereupon he arose and addressed Congress as follows:—

Mr. President:

The great events on which my resignation depended having at length taken place, I have now the honor of offering my sincere congratulations to Congress, and of presenting myself before them, to surrender into their hands the trust committed to me, and to claim the indulgence of returning from the service of my country.

Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation, I resign with satisfaction the appointment I accepted with diffidence—a diffidence in my abilities to accomplish so arduous a task; which, however, was superseded by a confidence in the rectitude of our cause, the support of the supreme powers of the Union, and the patronage of Heaven.

The successful termination of the war has verified the most sanguine expectations; and my gratitude for the interposition of Providence, and the assistance I have received from my countrymen, increases with every review of the momentous contest.

While I repeat my obligations to the army in general, I should do injustice to my own feelings not to acknowledge in this place the peculiar services and the distinguished merits of the gentlemen who have been attached to my person during the war. It was impossible that the choice of confidential officers to compose my family should have been more fortunate. Permit me, Sir, to recommend in particular, those who have continued in the service to the present moment, as worthy of the favorable notice and patronage of Congress.

I consider it an indispensable duty to close this act of my official life by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them to His holy keeping.

Having now finished the work assigned, I retire from the great theatre of action, and bidding an affectionate farewell to this august body, under whose orders I have so long acted, I here offer my commission, and take my leave of all the employments of public life.

The painting in the Rotunda at the National Capitol is an enlarged replica of the original painting, which is owned by Yale University. Portraits of the persons below named are contained in the picture:—

1 Thomas Mifflin, Penn., President
2 Charles Thomson, Penn., Secretary
3 Elbridge Gerry, Mass. M. C.
4 Hugh Williamson, N. C. "
5 Samuel Osgood, Mass. "
6 Alexander McComb, Del. "
7 George Partridge, Mass. "
8 Edward Lloyd, Md. "
9 Richard D. Speight, N. C. "
10 Benjamin Hawkins, N. C. "
11 Abiel Foster, N. H. "
12 Thomas Jefferson, Va. "
13 Arthur Lee, Va. "
14 David Howell, R. I. "
15 James Monroe, Va. "
16 Jacob Read, S. C. "
17 James Madison, Va. (Spectator)
18 William Ellery, R. I. M. C.
19 Jeremiah T. Chase, Md. "
20 Samuel Harding, Va. "
21 Charles Morris, Penn. "
22 General Washington
23 Col. Benjamin Walker, Aid-de-Camp
24 Col. David Humphreys, "
25 Gen. Smallwood, Md. (Spectator)
26 Gen. Otho H. Williams, Md. "
27 Col. Samuel Smith, Md. "
28 Col. John E. Howard, Md. "
29 Charles Carroll, and two daughters, Md. (Spectators)
30 Mrs. Washington and three grandchildren, Md. (Spectators)
31 Daniel, of St. Thomas Jenifer, Md. (Spectator)

TO JAMES MADISON.

September 20, 1807.

I return all the papers received in yours of the 18th and 19th, except one soliciting office, Judge Woodward's letters, to be communicated to the Secretary of War. Should not Claiborne be instructed to say at once to Governor Folch, that as we never did prohibit any articles (except slaves) from being carried up the Mississippi to Baton Rouge, so we do not mean to prohibit them, and that we only ask a perfect and equal reciprocity to be observed on the rivers which pass through the territories of both nations. Must we not denounce to Congress the Spanish decree as well as the British regulation pretending to be the countervail of the French? One of our first consultations, on meeting, must be on the question whether we shall not order all the militia and volunteers destined for the Canadas to be embodied on the 26th of October, and to march immediately to such points on the way to their destination as shall be pointed out, there to await the decision of Congress? I approve of the letter to Erskine. In answering his last, should he not be reminded how strange it is he should consider as a hostility our refusing to receive but under a flag, persons from vessels remaining and acting in our waters in defiance of the authority of the country? The post-rider of the day before yesterday has behaved much amiss in not calling on

you. When I found your mail in the valise and that they had not called on you, I replaced the mail in it and expressly directed him to return by you. Affectionate salutations.

TO GEORGE HAY.

MONTICELLO, September 20, 1807.

DEAR SIR,—General Wilkinson has asked permission to make use, in the statement of Burr's affair which he is about to publish, of the documents placed in your hands by Mr. Rodney. To this, consent is freely given with one reservation. Some of these papers are expressed to be confidential. Others containing censures on particular individuals, are such as I always deem confidential, and therefore cannot communicate, but for regularly official purposes, without a breach of trust. I must therefore ask the exercise of your discretion in selecting all of this character, and of giving to the General the free use of the others. It will be necessary that the whole be returned to the Attorney General by the first week in the next month, as a selection will be made from them to make part of the whole evidence in the case, which I shall have printed and communicated to Congress. I salute you with great esteem and respect.

TO GENERAL JAMES WILKINSON.

MONTICELLO, September 20, 1807.

DEAR SIR,—I received your favors of the 13th and 15th on my return to this place on the 17th, and such was the mass of business accumulated in my absence, that I have not till now been able to take up your letters. You are certainly free to make use of any of the papers we put into Mr. Hay's hands, with a single reservation: to wit, some of them are expressed to be confidential, and others are of that kind which I always consider as confidential, conveying censure on particular individuals, and therefore never communicate them beyond the immediate executive circle. I accordingly write to this effect to Mr. Hay. The scenes which have been acted at Richmond are such as have never before been exhibited in any country where all regard to public character has not yet been thrown off. They are equivalent to a proclamation of impunity to every traitorous combination which may be formed to destroy the Union; and they preserve a head for all such combinations as may be formed within, and a centre for all the intrigues and machinations which foreign governments may nourish to disturb us. However, they will produce an amendment to the Constitution which, keeping the judges independent of the Executive, will not leave them so, of the nation.

I shall leave this place on the 30th for Washington,

It is with pleasure that I perceive from all the expressions of public sentiment, that the virulence of those whose treasons you have defeated only place you on higher ground in the opinion of the nation. I salute you with great esteem and respect.

TO TENCH COXE.

MONTICELLO, September 21, 1807.

SIR,—I have read with great satisfaction your observations on the principles for equalizing the power of the different nations on the sea, and think them perfectly sound. Certainly it will be better to produce a balance on that element, by reducing the means of its great monopolizer, than by endeavoring to raise our own to an equality with theirs. I have ever wished that all nations would adopt a navigation law against those who have one, which perhaps would be better than against all indiscriminately, and while in France I proposed it there. Probably that country is now ripe for it. I see no reason why your paper should not be published, as it would have effect towards bringing the public mind to proper principles. I do not know whether you kept a copy; if you did not, I will return it. Otherwise I retain it for the perusal of my coadjutors, and perhaps to suggest the measure abroad. I salute you with great esteem and respect.

TO THE ATTORNEY GENERAL.

(ROBERT SMITH.)

WASHINGTON, October 8, 1807.

DEAR SIR,— * * * * * * * * *

The approaching convention of Congress would render your assistance here desirable. Besides the varieties of general matter we have to lay before them, on which we should be glad of your aid and counsel, there are two subjects of magnitude in which your agency will be peculiarly necessary. 1st. The selection and digestion of the documents respecting Burr's treason, which must be laid before Congress in two copies (or perhaps printed, which would take ten days). 2d. A statement of the conduct of Great Britain towards this country, so far as respects the violations of the Maritime Law of nations. Here it would be necessary to state each distinct principle violated, and to quote the cases of violation, and to conclude with a view of her vice-admiralty courts, their venality and rascality, in order to show that however for conveniences, (and not of right), the court of the captor is admitted to exercise the jurisdiction, yet that in so palpable an abuse of that trust, some remedy must be applied. Everything we see and hear leads in my opinion to war; we have therefore much to consult and determine on, preparatory to that event. I salute you with affectionate respect.

TO THOMAS PAINE.

WASHINGTON, October 9, 1807.

DEAR SIR,—Your second letter on the subject of gunboats, came to hand just before my departure from Monticello. In the meantime, the inquiry into the proposition had been referred, agreeably to our usage, or to reason, to the practical persons of the department to which it belonged, deemed most skilful. On my arrival here, I found the answers of the persons to whom it was referred, the substance of which I now enclose you. I am not a judge of their solidity, but I presume they are founded, and the rather as they are from officers entirely favorable to the use of gun-boats.

We have as yet no knowledge of the arrival of the Revenge in England, but we may daily expect to hear of it; and as we expected she would be detained there and in France about a month, it will be a month hence before we can expect her back here. In the meantime, all the little circumstances coming to our knowledge are unfavorable to our wishes for peace. If they would but settle the question of impressment from our bottoms, I should be well contented to drop all attempts at a treaty. The other rights of neutral powers will be taken care of by Bonaparte and Alexander; and for commercial arrangements we can sufficiently provide by legislative regulations. But as the practice of impressment has taken place only against

us, we shall be left to settle that for ourselves; and to do this we shall never again have so favorable a conjuncture of circumstances. Accept my friendly salutations and assurances of great esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, October 12, 1807.

DEAR SIR,—I now return you several of Major Newton's letters, some of which have been kept awhile for consideration. It is determined that there shall be no relaxation in the conditions of the proclamations, or any change in the rules of intercourse by flag. If the British officers set the example of refusing to receive a flag, let ours then follow it by never sending or receiving another. The interval cannot now be long in which matters will remain at their present point. I salute you with great friendship and respect.

TO ALBERT GALLATIN.

WASHINGTON, October 14, 1807.

I think the proper instructions for Mr. Christie's revenue cutter may be drawn from those given to Captain Decatur. The authority of the proclamation is to be maintained, no supplies to be permitted to be carried to the British vessels, nor their vessels permitted to land. For these purposes force, and

to any extent, is to be applied, if necessary, but not unless necessary, nor, considering how short a time the present state of things has to continue, would I recommend any extraordinary vigilance or great industry in seeking even just occasions for collision. It will suffice to do what is right when the occasion comes into their way. I cannot doubt the expediency of getting the instruments recommended by Mr. Patterson, and of the best kind, *if they can be got in England*, because I almost know they cannot be made *in any other country* equally good, and I should be quite averse to getting those which should not be perfect.

May we not at once appoint the republican candidate for the collectorship of Snow-hill? Affectionate salutations.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

WASHINGTON, October 17, 1807.

DEAR SIR,—I forwarded to Mr. Smith, Secretary of the Navy, an extract of so much of my letter to you of August 31st, as suggested the idea of artificial harbors for gunboats, on the horse-shoe and middle grounds, with a view to his having their formation examined, to know if they would support works, and their distance ascertained, to know what would be their effect. The objects were, 1, to provide an asylum on the shoals for gunboats against weather and ships of war, and 2, to prevent ships lying

within the capes. I enclose you the opinion of Captain Porter, according to which, without thinking of attempting works so difficult and doubtful, both ends will be answered by a work at Lynhaven river, where the shoals are extensive enough to keep off ships of war, and the river sufficiently capacious to receive all the gunboats. He thinks a work at Point Comfort might also be useful. I send you his draught, which, being merely an enlargement from More's map on a very minute scale, is not to be much depended on; and considering the extent of country that point is to defend, I recommend it to your consideration, as one of our important objects. Affectionate salutations.

TO GOVERNOR JAMES SULLIVAN.

WASHINGTON, October 18, 1807.

SIR,—I have duly received your favor of the 8th inst., covering, at the request of the General Court of Massachusetts, a memorial to the Senate and House of Representatives of the United States, on behalf of Benjamin Hichborn and others, with a desire that I would communicate and recommend the same to both Houses of Congress. I should avail myself with particular pleasure of every occasion of doing what would be acceptable to the legislative and executive authorities of Massachusetts, and which should be within the limits of my functions. The Executive of the Union is, indeed,

by the Constitution, made the channel of communication between *foreign* powers and the United States. But citizens, whether individually, or in bodies corporate, or associated, have a right to apply directly to any department of their government, whether legislative, executive, or judiciary, the exercise of whose powers they have a right to claim; and neither of these can regularly offer its intervention in a case belonging to the other. The communication and recommendation by me to Congress of the memorial you have been pleased to enclose me, would be an innovation, not authorized by the practice of our government, and therefore the less likely to add to its weight or effect. Thus restrained from serving you in the exact way desired, I have thought I could not better do it than by a prompt return of the papers, that no time might be lost in transmitting them through the accustomary channels of your Senators and Representatives in Congress; and I avail myself of the occasion of assuring you of my very high respect and consideration.

TO DOCTOR B. S. BARTON.

WASHINGTON, October 18, 1807.

DEAR SIR,—I received last night a diploma from the Linnæan Society of Philadelphia, doing me the honor of associating me to their body. I pray you to do me the favor of assuring the society of my sensibility for this mark of their notice, and of my

thanks. Sincerely associated with the friends of science, in spirit and inclination, I regret the constant occupations of a different kind, which put out of my power the proper co-operations with them, had I otherwise the talents for them. I shall gladly embrace any occasion which can be offered of being useful to the society, as a mark of my acknowledgments for their favors, with my thanks for the copy of your discourse, enclosed at the same time. I pray you to receive my friendly salutations, and assurances of great respect and esteem.

TO JAMES GAMBLE, ESQ.

WASHINGTON, October 21, 1807.

SIR,—Your favor of the 17th has been duly received. I have long seen, and with very great regret, the schisms which have taken place among the republicans, and principally those of Pennsylvania and New York. As far as I have been able to judge, they have not been produced by any difference of political principle,—at least, any important difference, but by a difference of opinion as to persons. I determined from the first moment to take no part in them, and that the Government should know nothing of any such differences. Accordingly, it has never been attended to in any appointment, or refusal of appointment. General Shee's personal merit, universally acknowledged, was the cause of his appointment as Indian Super-

intendent, and a subsequent discovery that his removal to this place (the indispensable residence of that officer), would be peculiarly unpleasant to him, suggested his translation to another office, to solve the double difficulty. Rarely reading the controversial pieces between the different sections of republicans, I have not seen the piece in the Aurora, to which you allude; but I may with truth assure you, that no fact has come to my knowledge which has ever induced any doubt of your continued attachment to the true principles of republican government. I am thankful for the favorable sentiments you are so kind as to express towards me personally, and trust that an uniform pursuit of the principles and conduct which have procured, will continue to me an approbation, which I highly value.

I salute you with great esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, October 25, 1807.

SIR,—Your letters of the 21st and 22d are received, and I now return Captain Read's of the 18th. We conclude it unnecessary to call for another corps of militia, to relieve that now in service at Lynhaven. General Dearborn will write, and give the necessary directions for discharging, paying, etc. I suspect the departure of the British armed vessels from our waters, is in consequence of orders from their govern-

ment to respect the proclamation. If Congress should approve our ideas of defensive works for the several harbors of the United States, there will be a regular fort at the mouth of Lynhaven river, to protect such a number of gun-boats to be stationed there as will, in case of war, render it too dangerous to any armed vessel to enter the bay; and thus to protect the bay and all its waters at its mouth. I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, October 27, 1807.

DEAR SIR,—I have reflected on the case of the embodying of the militia in Ohio, and think the respect we owe to the State may overweigh the disapprobation so justly due to the conduct of their Governor pro tem. They certainly had great merit, and have acquired a very general favor through the Union, for the early and vigorous blows by which they crushed the insurrection of Burr. We have now again to appeal to their patriotism and public spirit in the same case; and should there be war, they are our bulwark in the most prominent point of assault from the Indians. Their good will and affection, therefore, should be conciliated by all justifiable means. If we suffer the question of paying the militia embodied to be thrown on their Legislature, it will excite acrimonious debate in

that body, and they will spread the same dissatisfaction among their constituents, and finally it will be forced back on us through Congress. Would it not, therefore, be better to say to Mr. Kirker, that the General Government is fully aware that emergencies which appertain to them will sometimes arise so suddenly as not to give time for consulting them, before the State must get into action; that the expenses in such cases, incurred on reasonable grounds, will be met by the General Government; and that in the present case, although it appears there was no real ground for embodying the militia, and that more certain measures for ascertaining the truth should have been taken before embodying them, yet an unwillingness to damp the public spirit of your countrymen, and the justice due to the individuals who came forward in defence of their country, and who could not know the grounds on which they were called, have determined us to consider the call as justifiable, and to defray the expenses. This is submitted to you for consideration. Affectionate salutations.

TO ALBERT GALLATIN.

October 28, 1807.

I think there is nothing in the former regulations of the Salines which hindered merchants or others of the country round about, far or near, from purchasing salt at the Salines, at the stated price, and

carrying and vending it elsewhere at their own price; and it was naturally to be expected that competition would in this way reduce it to a proper price wherever sold. If this had taken place, it would have been desirable that the lessees should not have engaged in it, because as the price at a distance must add some profit to the transportation and first cost, this profit might have induced the lessees to sell reluctantly on the spot. As the merchants, however, have not entered into this business, I think it would be well to let the lessees begin it, leaving them open to the effect of future competition; subjecting them to a maximum as they themselves propose, and to have the permission revoked if they obstruct sales at the Salines, or otherwise abuse the permission. I return you their letter.

I return you, also, the papers respecting the lead mines, and think with you that one-fifth for the three last years is not unreasonable.

I propose to inform Mr. Moore (if you know of no objection,) that I approve his proposition for cutting the whole road from Cumberland to Brownsville. We shall by this means secure, at any rate, the benefit of their location, which will of itself have occasioned considerable expense. Affectionate salutations.

TO ALBERT GALLATIN.

October 31, 1807.

The rent we proposed for the Indiana lead mine was two-tenths of three years' produce=six-tenths

of one year's produce for five years' occupation: and one-tenth of five years' produce=five-tenths of one year's produce for five years' occupation, is the option you propose. There can be but one objection to it, that is, the effect which a rent of one-tenth annually might have in lowering the future rents permanently. From the Louisiana standing rent of one-tenth, and the offer of one-tenth for the Indiana mine, I suspect that one-fifth may be too much for a permanent rent. What would you think of continuing the offer of two years free of rent, and one-eighth of the *metal* afterwards? I think the most important object for the public is to find what rent the tenant can pay and still have an encouraging profit for himself, and to obtain that rent. However, I suggest this merely for your consideration.

I have written to Mr. Moore on the subject of the road. Whom shall we appoint in the room of Kilgore? I have conversed with Morrar, but have had no opportunity of speaking with Governor Tiffin. Affectionate salutations.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, November 1, 1807.

DEAR SIR,—Your late letters have been regularly referred to the Secretary at War, who has already answered their several enquiries, or will do it immediately. I am inclined to believe that the departure

of the British vessels from our waters must be in consequence of orders from England to respect the authorities of the country. Within about a fortnight we think we may expect answers from England which will decide whether this cloud is to issue in a storm or calm. Here we are pacifically inclined, if anything comes which will permit us to follow our inclinations. But whether we have peace or war, I think the present Legislature will authorize a complete system of defensive works, on such a scale as they think they ought to adopt. The state of our finances now permits this. To defensive works by land they will probably add a considerable enlargement of the force in gunboats. A combination of these, will, I think, enable us to defend the Chesapeake at its mouth, and save the vast line of preparation which the defence of all its interior waters would otherwise require. I salute you with great esteem and respect.

TO GOVERNOR ROBERT WILLIAMS.[1]

WASHINGTON, November 1, 1807.

SIR,—I have duly received your letter of August 25th, in which you express a wish that the letters received from you may be acknowledged, in order to ascertain their safe transmission. Those received the present year have been of March 14, May 11, and 30, June 8, July 3, August 12, and 25. They have

[1] Governor of the Mississippi Territory.

not been before acknowledged in conformity with a practice which the constant pressure of business has forced me to follow, of not answering letters which do not necessarily require it. I have seen with regret, the violence of the dissensions in your quarter. We have the same in the territories of Louisiana and Michigan. It seems that the smaller the society the bitterer the dissensions into which it breaks. Perhaps this observation answers all the objections drawn by Mr. Adams from the small republics of Italy. I believe ours is to owe its permanence to its great extent, and the smaller portion comparatively, which can ever be convulsed at one time by local passions. We expect shortly now to hear from England, and to know how the present cloud is to terminate. We are all pacifically inclined here, if anything comes from thence which will permit us to follow our inclinations. I salute you with esteem and respect.

TO ALBERT GALLATIN.

November 8, 1807.

I will sign a proclamation for the sale of the lands nothwest of Ohio, whenever you think proper. I believe the form is in your office, and in the course of this week we will agree on the officers.

I am afraid we know too little as yet of the lead mines to establish a permanent system. I verily believe that of leasing will be far the best for the United

States. But it will take time to find out what rent may be reserved, so as to enable the lessee to compete with those who work mines in their own right, and yet have an encouraging profit for themselves. Having on the spot two such men as Lewis and Bates, in whose integrity and prudence unlimited confidence may be placed, would it not be best to confide to them the whole business of leasing and regulating the management of our interests, recommending to them short leases, at first, till themselves shall become thoroughly acquainted with the subject, and shall be able to reduce the management to a system, which the government may then approve and adhere to. I think one article of it should be that the rent shall be paid in metal, not in mineral, so that we may have nothing to do with works which will always be mismanaged, and reduce our concern to a simple rent. We shall lose more by ill-managed smelting works than the digging the ore is worth. Then it would be better that our ore remained in the earth than in a storehouse, and consequently we give nine-tenths of the ore for nothing. These thoughts are merely for your consideration. Affectionate salutations.

TO WILLIAM SHORT.

WASHINGTON, November 15, 1807.

DEAR SIR,—Yours of the 6th has been duly received. On the subject of your location for the winter, it is impossible in my view of it, to doubt on

the preference which should be given to this place. Under any circumstances it could not but be satisfactory to you to acquire an intimate knowledge of our political machine, not merely of its organization, but the individuals and characters composing it, their general mode of thinking, and of acting openly and secretly. Of all this you can learn no more at Philadelphia than of a diet of the empire. None but an eye-witness can really understand it, and it is quite as important to be known to them, and to obtain a certain degree of their confidence in your own right. In a government like ours, the standing of a man well with this portion of the public must weigh against a considerable difference of other qualifications. Your quarters here may not perhaps be quite as comfortable as at Philadelphia. There is a good house half-way between this and the Treasury, where General Dearborn, Mr. and Mrs. Cutts, board together. I do not know if there is a vacancy in it, but there are houses all along the avenue, convenient to the Capitol, and to this house also, to come and take your soup with us every day, when not otherwise engaged.

Our affairs with Spain laid dormant during the absence of Bonaparte from Paris, because we know Spain would do nothing towards settling them, but by compulsion. Immediately on his return, our terms were stated to him, and his interposition obtained. If it was with good faith, its effect will be instantaneous; if not with good faith, we shall

discover it by affected delays, and must decide accordingly. I think a few weeks will clear up this matter. With England, all is uncertain. The late stuff by Captain Doane, is merely a counterbalance for the stuff we had a week before of a contrary aspect. Those dialogues they put into the mouths of the ministers were not likely to be communicated to the newswriters, and they are founded on a falsehood within my knowledge, not that I have confidence with an amicable arrangement with England; but I have not the less on account of this information. One circumstance only in it, I view as very possible, that she may by proclamation forbid all commerce with her enemies, which is equivalent to forbidding it with any nation but herself. As her commerce could not be accepted on such terms, this will be as much of a war as she could wage if she were to declare war, for she can wage only a maritime war with us. In such a case we could not let the war be all on one side, but must certainly endeavor at as much indemnification as we could take. If we have war with her, we shall need no loan the first year, a domestic loan only the second year, but after that, foreign loans. The moment the war is decided, we shall think it necessary to take measures to insure these by the time they are wanted, and your management of this kind of business, formerly, is known to have been so advantageous, that we should certainly wish to avail ourselves of your services, if they can be obtained conformably to our joint views. But nothing specific

can be said until the denouement of our present situation. No inference can be drawn from Monroe's return, (which I dare say will be by the Revenge,) because his return this autumn had been earnestly solicited by him, and agreed to by us. The classification of our militia will be again proposed, on a better plan, and with more probable success. With respect to General Moreau, no one entertains a more cordial esteem for his character than I do, and although our relations with France have rendered it a duty in me not to seek any public manifestation of it, yet were accident to bring us together, I could not be so much wanting to my own sentiments and those of my constituents individually, as to omit a cordial manifestation of it.

TO JAMES PEMBERTON.

WASHINGTON, November 16, 1807.

SIR,—Your favor of October 31st has been duly received, and I thank you for the communication of the report of the Committee of Friends. It gives me great satisfaction to see that we are likely to render our Indian neighbors happier in themselves and well affected to us; that the measures we are pursuing are prescribed equally by our duty to them, and by the good of our own country. It is a proof the more of the indissoluble alliance between our duties and interest, which if ever they appear to lead in opposite directions, we may be assured it is from our own

defective views. It is evident that your society has begun at the right end for civilizing these people. Habits of industry, easy subsistence, attachment to property, are necessary to prepare their minds for the first elements of science, and afterwards for moral and religious instruction. To begin with the last has ever ended either in effecting nothing, or ingrafting bigotry on ignorance, and setting them to tomahawking and burning old women and others as witches, of which we have seen a commencement among them. There are two circumstances which have enabled us to advance the southern tribes faster than the northern; 1, they are larger, and the agents and instructors therefore can extend their instruction and influence over a much larger surface; 2, the southern tribes can raise cotton, and immediately enter on the process of spinning and weaving, so as to clothe themselves without resorting to the chase. The northern tribes cannot cultivate cotton, nor can they supply its want by raising sheep, because of the number of wolves. I see not how they are to clothe themselves till they shall have destroyed these animals, which will be a work of time. They should make this one of the principal objects of their hunts. I salute you with great esteem and respect.

TO DANIEL ECCLESTON, ESQUIRE.

WASHINGTON, November 21, 1807.

SIR,—I received on the 22d ultimo your favor of May 20th, with the medals accompanying it, through the channel of my friend and ancient class-mate, Mr. Manning, of Liverpool. That our own nation should entertain sentiments of gratitude and reverence for the great character who is the subject of your medallion, is a matter of duty. His disinterested and valuable services to them have rendered it so; but such a monument to his memory by the member of another community, proves a zeal for virtue in the abstract, honorable to him who inscribes it, as to him whom it commemorates. In returning you my individual thanks for the one destined for myself, I should perform but a part of my duty were I not to add an assurance that this testimonial in favor of the first worthy of our country will be grateful to the feelings of our citizens generally.

I immediately forwarded the two other medals and the letter to Judge Washington, with a request that he would hand one of them to Chief Justice Marshall. I salute you with great respect.

TO JAMES MAURY.

WASHINGTON, November 21, 1807.

DEAR SIR,—Your favor of July 21st came to hand October 22d, with the letters and medals of General

Washington, from Mr. Eccleston, and I now take the liberty of enclosing through you my acknowledgments to him. This tribute of respect to the first worthy of our country, is honorable to him who renders as to him who is the subject of it.

The world, as you justly observe, is truly in an awful state. Two nations of overgrown power are endeavoring to establish, the one an universal dominion by sea, the other by land. We naturally fear that which comes into immediate contact with us, leaving remoter dangers to the chapter of accidents. We are now in hourly expectation of hearing from our ministers in London, by the return of the Revenge. Whether she will bring us war or peace, or the middle state of non-intercourse, seems suspended in equal balance. With every wish for peace, permitted by the circumstances forced upon us, we look to war as equally probable. The crops of the present year have been great beyond example. The wheat sown for the ensuing year is in a great measure destroyed by the drought and the fly. A favorable winter and spring sometimes do wonders towards recovering unpromising grain; but nothing can make the next crop of wheat a good one.

The present aspect of our foreign relations has encouraged here a general spirit of encouragement to domestic manufacture. The Merino breed of sheep is well established with us, and fine samples of cloth are sent on from the north. Considerable manufactures of cotton are also commencing. Phil-

adelphia, particularly, is becoming more manufacturing than commercial. I have heard nothing lately from your friends in Albemarle; but if all had not been well with them, I should have heard of it. I tender you my affectionate salutations, and assurances of constant friendship and respect.

TO ALBERT GALLATIN.

November 22, 1807.

The defence of Orleans against a land army can never be provided for, according to the principles of the Constitution, till we can get a sufficient militia here. I think therefore to get the enclosed bill brought forward again. Will you be so good as to make any alterations in it which the present state of the surveys may have rendered necessary, and any others you shall think for the better?

TO COLONEL JOHN MINOR.

WASHINGTON, November 25, 1807.

DEAR SIR,—Your favor of the 23d came to hand last night, and I thank you for your attention to the letter to Mrs. Dangerfield, whose answer I have received. Perceiving that you are rendered unquiet by the impudent falsehoods with which the newspapers have tormented the public feelings lately, in a moment of extraordinary anxiety, I must assure you that these articles are all demonstrably false,

that is to say, the information of about three or four weeks ago that the ministers on both sides had given out that all things were amicably arranged. That which followed a week after assuring us all negotiation was at an end, and war inevitable, that is to say, Captain Doane's news, and what followed a few days ago of Bonaparte's pretended answer to queries, extending his decree to us, coming via Antwerp and Bordeaux. It is believed that the last was fabricated in Boston, to counteract the war-news from England there afloat. I have no doubt Monroe is coming home, and that he, as well as the Revenge, may be expected about the last of the month; and I think it possible he may be the bearer of propositions for a middle ground between us, modifying what we have deemed indispensable; consequently that there will be time still employed in these things crossing and re-crossing the Atlantic, during which peace may take place in Europe, which of course removes all ground of dispute between us till another war. As to the Chesapeake, there is no doubt they will make satisfaction of some sort. This is my present idea of the present state of things with that country, but founded as you will perceive on possibilities only and conjectures, which one week may ascertain. I salute you with great friendship and respect.

TO ROBERT FULTON.

December 10, 1807.

Thomas Jefferson presents Mr. Fulton his thanks for the communication of his Memoir, which he has read with great satisfaction, and now returns. There is nothing in it but what will contribute to the promotion of its great object; and some of the calculations will have a very powerful effect. He salutes him with esteem and respect.

TO JOEL BARLOW.

WASHINGTON, December 10, 1807.

DEAR SIR,—I return you Mr. Law's letter, with thanks for the communication. I wish he may be a true prophet as to peace in six months. It is impossible that any other man should wish it as much as I do; although duty may control that wish. The desire of peace is very much strengthened in me by that which I feel in favor of the great subjects of yours and Mr. Fulton's letters. I had fondly hoped to set those enterprises into motion with the last legislature I shall meet. But the chance of war is an unfortunate check. I do not however despair that the proposition of amendment may be sent down this session to the legislatures. But it is not certain. There is a snail-paced gait for the advance of new ideas on the general mind, under which we must acquiesce. A forty years' experience of popular assemblies has taught me, that you must give

them time for every step you take. If too hard pushed, they balk, and the machine retrogrades. I doubt whether precedence will be given to your part of the plan before Mr. Fulton's. People generally have more feeling for canals and roads than education. However, I hope we can advance them with equal pace. If the amendment is sent out this session, returned to the next, and no war takes place, we may offer the plan to the next session in the form of a bill, the preparation of which should be the work of the ensuing summer. I salute you affectionately.

TO GENERAL JOHN MASON.

1807.[1]

Although the decree of the French government of November 21st comprehended, in its literal terms, the commerce of the United States, yet the prompt explanation by one of the ministers of that government that it was not so understood, and that our treaty would be respected, the practice which took place in the French ports conformably with that explanation, and the recent interference of that government to procure in Spain a similar construction of a similar decree there, had given well-founded expectation that it would not be extended to us; and this was much strengthened by the consideration of their obvious interests. But the information from our minister at Paris now communicated to

[1] Not dated, but probably written in December, 1807.

Congress is, that it is determined to extend the effect of that decree to us; and it is probable that Spain and the other Atlantic and Mediterranean States of Europe will co-operate in the same measure. The British regulations had before reduced us to a direct voyage to a single port of their enemies, and it is now believed they will interdict all commerce whatever with them. A proclamation too of that government (not officially, indeed, communicated to us, yet so given out to the public as to become a rule of action with them,) seems to have shut the door on all negotiation with us, except as to the single aggression on the Chesapeake.

The sum of these mutual enterprises on our national rights is that France, and her allies, reserving for further consideration the prohibiting our carrying anything to the British territories, have virtually done it, by restraining our bringing a return cargo from them; and Great Britain, after prohibiting a great proportion of our commerce with France and her allies, is now believed to have prohibited the whole. The whole world is thus laid under interdict by these two nations, and our vessels, their cargoes and crews, are to be taken by the one or the other, for whatever place they may be destined, out of our own limits. If, therefore, on leaving our harbors we are certainly to lose them, is it not better, as to vessels, cargoes, and seamen, to keep them at home? This is submitted to the wisdom of Congress, who alone are competent to provide a remedy.

TO DOCTOR CASPAR WISTAR.

WASHINGTON, December 19, 1807.

DEAR SIR,—I have never known to what family you ascribed the Wild Sheep, or Fleecy Goat, as Governor Lewis called it, or the *Potio-trajos*, if its name must be Greek. He gave me a skin, but I know he carried a more perfect one, with the horns on, to Mr. Peale; and if I recollect well those horns, they, with the fleece, would induce one to suspect it to be the Lama, or at least a *Lamæ affinis*. I will thank you to inform me what you determine it to be.

I have lately received a letter from General Clarke. He has employed ten laborers several weeks, at the Big-bone Lick, and has shipped the result, in three large boxes, down the Ohio, via New Orleans, for this place, where they are daily expected. He has sent, 1st, of the Mammoth, as he calls it, frontals, jaw-bones, tusks, teeth, ribs, a thigh, and a leg, and some bones of the paw; 2d, of what he calls the Elephant, a jaw-bone, tusks, teeth, ribs; 3d, of something of the Buffalo species, a head and some other bones unknown. My intention, in having this research thoroughly made, was to procure for the society as complete a supplement to what is already possessed as that Lick can furnish at this day, and to serve them first with whatever they wish to possess of it. There is a tusk and a femur which General Clarke procured particularly at my request, for a special kind of cabinet I have at Monticello. But the great mass of the

collection are mere duplicates of what you possess at Philadelphia, of which I would wish to make a donation to the National Institute of France, which I believe has scarcely any specimens of the remains of these animals. But how to make the selection without the danger of sending away something which might be useful to our own society? Indeed, my friend, you must give a week to this object. You cannot but have some wish to see Washington for its site, and some of its edifices, which will give you pleasure. You will see one room especially, to which Europe can show nothing superior. Baltimore, too, is an object. Take your lodgings at the tavern close by us. Mess with me every day, and in the intervals of your perlustrations of the city, Navy Yard, Capitol, etc., examine these bones, and set apart what you would wish for the society. I will give you notice when they arrive here, and then you will select a time when you can best absent yourself for a week from Philadelphia. I hope you will not deny us this great service, and I salute you with friendship and respect.

TO GENERAL WILLIAM CLARKE.

WASHINGTON, December 19, 1807.

DEAR SIR,—I have duly received your two favors of September 20th, and November 10th, and am greatly obliged, indeed, by the trouble you have been so good as to take in procuring for me as thorough a

supplement to the bones of the Mammoth as can now be had. I expect daily to receive your bill for all the expenses, which shall be honored with thanks.

The collection you have made is so considerable that it has suggested an idea I had not before. I see that after taking out for the Philosophical Society everything they shall desire, there will remain such a collection of duplicates as will be a grateful offering from me to the National Institute of France, for whom I am bound to do something. But in order to make it more considerable, I find myself obliged to ask the addition of those which you say you have deposited with your brother at Clarkesville, such as ribs, backbones, leg bones, thigh, ham hips, shoulder-blades, parts of the upper and under jaw, teeth of the Mammoth and Elephant, and parts of the Mammoth tusks, to be forwarded hereafter, if necessary.

I avail myself of these last words to ask that they may be packed and forwarded to me by the way of New Orleans, as the others have been. I do this with the less hesitation, knowing these things can be of little value to yourself or brother, so much in the way of furnishing yourselves, if desired, and because I know they will be so acceptable to an institution to which, as a member, I wish to be of some use. I salute you with great friendship and respect.

TO GENERAL GEORGE ROGERS CLARKE.

WASHINGTON, December 19, 1807.

DEAR GENERAL,—As I think it probable your brother will have left you before the enclosed comes to hand, I have left it open, and request you to read it, and do for me what it asks of him, and what he will do should he still be with you, that is to say to have the bones packed and forwarded for me to William Brown, collector at New Orleans, who will send them on to me.

I avail myself of this occasion of recalling myself to your memory, and of assuring you that time has not lessened my friendship for you. We are both now grown old. You have been enjoying in retirement the recollections of the services you have rendered your country, and I am about to retire without an equal consciousness that I have not occupied places in which others would have done more good. But in all places and times I shall wish you every happiness, and salute you with great friendship and esteem.

TO ALBERT GALLATIN.

December 24, 1807.

I think there should certainly be an inquiry into the conduct of Taylor of Ceracock, the charges being specified, of the most serious nature, and offered to be proved.

We might take a conveyance of the lands at Tar-

paulin cove, of an estate, to continue *so long as a light-house should be kept upon it, and used as a light-house*. It would not be a fee simple, but what the lawyers call a *base fee*. But it would be a bad example, and we should have all proprietors hereafter insisting on the same thing. It is better they should trust to the liberality of the United States, in giving them a pre-emption if the light-house be discontinued. It will be better to add to the absolute conveyance, such restriction of right as we consent to, to wit, that there shall be no tavern, etc., than attempt to enumerate the rights we may exercise,—*e. g.*, that we may keep cows, cultivate, etc.

I approve entirely the idea of conveying to the city of New Orleans the rights of the United States in the Batture, lately claimed by that city, and to all other Riparian possessors on the Mississippi all alluvions, and all attervisements, or shoals, left uncovered at low water, saving to navigators the right of landing, unloading, etc. But providing that the claim to the Batture, given to the city, should be decided by special commissioners, to whom the evidence and arguments in writing shall be sent, without any necessity of their going there.

Should not a bill be immediately proposed for amending the embargo law? In the meantime the revenue cutters and armed vessels must use force.

Cockle's bonds are certainly good set-offs against his Louisiana bills, and ought so to be used to save his sureties.

I am glad to find we have 4,000,000 acres west of Chafalaya. How much better to have every 160 acres settled by an able-bodied militia man, than by purchasers with their hordes of negroes, to add weakness instead of strength. Affectionate salutations

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TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.
(JOSEPH B. VARNUM.)

WASHINGTON, December 26, 1807.

DEAR SIR,—I return you the letters you were so kind as to communicate to me, on the appointment of Dr. Waterhouse to the care of the marine hospital. When he was decided on (November 26th), no other candidate had been named to me as desiring the place.

The respectable recommendations I had received, and his station as professor of medicine in a college of high reputation, sufficiently warranted his abilities as a physician, and to these was added a fact well known, that, to his zeal, the United States were indebted for the introduction of a great blessing,—vaccination, which has extirpated one of the most loathsome and mortal diseases which has afflicted humanity some years, probably, sooner than would otherwise have taken place. It was a pleasure, therefore, as well as a duty, in dispensing the public favors, to make this small return for the great service rendered our country by Dr. Waterhouse.

That he is not a professional *surgeon* is not an

objection. The marine hospitals are medical institutions, for the relief of common seamen, and the ordinary diseases to which they are liable. To them, therefore, professional *physicians* have always been appointed.

A surgeon is named to the navy hospital. The surgeon will have medical cases under him, and the physician some surgical cases; but not in sufficient proportion to change the characters of the institutions, or of the persons to whom they are committed.

On a review of the subject, therefore, I have no reason to doubt that the person appointed will perform the services of the marine hospital with ability and faithfulness; and I feel a satisfaction in having done something towards discharging a moral obligation of the nation, to one who has saved so many of its victims from a mortal disease. Nor is it unimportant to the State in which that institution is, that it has extended his means of usefulness to the medical students of its college.

I am thankful now, as at all times, for information on the subject of appointments, even when it comes too late to be used. I know none but public motives in making them. It is more difficult and more painful than all the other duties of my office, and one in which I am sufficiently conscious that involuntary error must often be committed; and I am particularly thankful to yourself for this opportunity of explaining the grounds of the appointment in ques-

tion; and I tender you sincere assurances of my affectionate esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, December 29, 1807.

It is impossible to detest more than I do the fraudulent and injurious practice of covering foreign vessels and cargoes under the American flag; and I sincerely wish a systematic and severe course of punishment could be established. It is only as a punishment of this fraud, that we could deny to the Portuguese vessel the liberty of departing. But I do not know that a solitary and accidental instance of punishment would have any effect. The vessel is *bona fide* Portuguese, the crew Portuguese, loaded with provisions for Portugal, an unoffending and friendly country, to whom we wish no ill. I have not sufficiently considered the embargo act, to say how far the executive is at liberty to decide on these cases. But if we are free to do it, I should be much disposed to take back her American papers, and let her go, especially on giving bond and security to land the cargo in Portugal, dangers of the sea and superior force excepted. Perhaps it would be proper to require the captain to give up also his certificate of citizenship, which is also merely fraudulent, has been the ground of fraudulent conversion, and may be used on the voyage as a fraudulent cover to the cargo. Affectionate salutations.

TO ROBERT R. LIVINGSTON, ESQ.

WASHINGTON, January 3, 1808.

DEAR SIR,—Your favor of December 20th has been received. The copy of the late volume of Agricultural Proceedings is not yet at hand, but will probably come safe. I had formerly received the preceding volumes from your kindness, as you supposed. Writings on this subject are peculiarly pleasing to me, for, as they tell us, we are sprung from the earth, so to that we naturally return. It is now among my most fervent longings to be on my farm, which, with a garden and fruitery, will constitute my principal occupation in retirement. I have lately received the proceedings of the Agricultural Society of Paris. They are proceeding with enthusiasm and understanding. I have been surprised to find that the rotation of crops and substitution of some profitable growth preparatory for grain, instead of the useless and expensive fallow, is yet only dawning among them. The society has lately re-published Oliver de Serres' Theatre d'Agriculture, in 2 vols. 4to, although written in the reign of * * *. It is the finest body of agriculture extant, and especially as improved by voluminous notes, which bring its process to the present day. I lately received from Colonel Few in New York, a bottle of the oil of Beni, believed to be a sesamum. I did not believe there existed so perfect a substitute for olive oil. Like that of Florence, it has no taste, and is perhaps rather

more limpid. A bushel of seed yields three gallons of oil; and Governor Milledge, of Georgia, says the plant will grow wherever the Palmi Christi will. It is worth your attention, and you can probably get seed from Colonel Few. We are in hourly expectation of Mr. Rose here, in the hope of seeing what turn our differences with that nation are to take. As yet all is doubtful. Accept my friendly salutations, and assurances of great esteem and respect.

TO DOCTOR BENJAMIN RUSH.

WASHINGTON, January 3, 1808.

DEAR SIR,—Dr. Waterhouse has been appointed to the Marine Hospital of Boston, as you wished. It was a just though small return for his merit, in introducing the vaccination earlier than we should have had it. His appointment there makes some noise there and here, being unacceptable to some; but I believe that schismatic divisions in the medical fraternity are at the bottom of it. My usage is to make the best appointment my information and judgment enable me to do, and then fold myself up in the mantle of conscience, and abide unmoved the peltings of the storm. And oh! for the day when I shall be withdrawn from it; when I shall have leisure to enjoy my family, my friends, my farm and books!

In the ensuing autumn, I shall be sending on to Philadelphia a grandson of about fifteen years of age, to whom I shall ask your friendly attentions. With-

out that bright fancy which captivates, I am in hopes he possesses sound judgment and much observation; and, what I value more than all things, good humor. For thus I estimate the qualities of the mind: 1, good humor; 2, integrity; 3, industry; 4, science. The preference of the first to the second quality may not at first be acquiesced in; but certainly we had all rather associate with a good-humored, light-principled man, than with an ill-tempered rigorist in morality.

We are here in hourly expectation of seeing Mr. Rose, and of knowing what turn his mission is to give to our present differences. The embargo is salutary. It postpones war, gives time and the benefits of events which that may produce; particularly that of peace in Europe, which will postpone the causes of difference to the next war. I salute you with great affection and respect.

TO JOHN TAYLOR, ESQ.

WASHINGTON, January 6, 1808.

DEAR SIR,—Your ingenious friend, Mr. Martin, formerly made for me a drill of very fine construction. I am now very desirous of sending one of them to the Agricultural Society of Paris, with whom I am in correspondence, and who are sending me a plough supposed to be of the best construction ever known. On trial with their best ploughs, by a dynamometer, it is drawn by from one-half to two-thirds of the force

requisite to their best former ploughs. Will you be so good as to get Mr. Martin to make me one of his best drills, sparing no pains to make the workmanship worthy of the object, to pack it in a box, and contrive it for me to Fredericksburg. The cost shall be remitted him as soon as known. I see by the agricultural transactions of the Paris Society, they are cultivating the Jerusalem artichoke for feeding their animals. They make 10,000 lb. to the acre, which they say is three times as much as they generally make of the potato. The African Negroes brought over to Georgia a seed which they called beni, and the botanists sesamum. I lately received a bottle of the oil, which was eaten with salad by various companies. All agree it is equal to the olive oil. A bushel of seed yields three gallons of oil. I propose to cultivate it for my own use at least. The embargo keeping at home our vessels, cargoes and seamen, saves us the necessity of making their capture the cause of immediate war; for, if going to England, France had determined to take them, if to any other place, England was to take them. Till they return to some sense of moral duty, therefore, we keep within ourselves. This gives time. Time may produce peace in Europe; peace in Europe removes all causes of difference, till another European war; and by that time our debt may be paid, our revenues clear, and our strength increased.

I salute you with great friendship and respect.

TO ALBERT GALLATIN.

January 7, 1808.

I think with you that the establishment of posts of delivery at Green Bay and Chicago, would only furnish pretexts for not entering at Mackinac; and that a new post at the falls of St. Mary's, requiring a military post to be established there, would not quit cost, nor is this a time to be multiplying small establishments.

The collector should have his eye on the schooner Friends on her return, and though proof may be difficult, harass them with a prosecution.

I see nothing in the case of the Swedish captain which can produce doubt. The law is plain that a foreign vessel may go with the load she had on board and no more. The exception as to vessels under the President's direction, can only be meant to embrace governmental cases, such as advice vessels, such as permitting foreign seamen to be shipped to their own country.

With respect to the Four Brothers, I know not what can be done, unless the amendatory law would authorize the collector to detain on circumstances of strong suspicion, until he can refer the case here, and give a power to detain finally on such grounds.

Have you thought of the Indian drawback? The Indians can be kept in order only by commerce or war. The former is the cheapest. Unless we can induce individuals to employ their capital in that

trade, it will require an enormous sum of capital from the public treasury, and it will be badly managed. A drawback for four or five years is the cheapest way of getting that business off our hands. Affectionate salutations.

TO ROBERT SMITH.

January 7, 1808.

Proceeding as we are to an extensive construction of gunboats, there are many circumstances to be considered and agreed on, viz.:

1. How many shall we build? for the debate lately published proves clearly it was not expected we should build the whole number proposed.

2. Of what size, and how many of each size?

3. What weight of metal shall each size carry? shall carronades be added?

4. Is it not best, as they will not be seasoned, to leave them unsealed awhile?

5. Where shall they be built, and when required to be in readiness?

6. As a small proportion only will be kept afloat, in time of peace, the *safe* and *convenient* depositories for those laid up should be inquired into and agreed on, and sheds erected under which they may be covered from the sun and rain.

7. To economize the navy funds of the ensuing year, we should determine how many of the boats now in service ought to be kept in each, and for

how many we will depend on the seaport in case of attack.

The first of these subjects may require a general consultation, and perhaps the seventh also. The others are matters of detail which may be determined on between you and myself. I shall be ready to consult with you on them at your convenience. Affectionate salutations.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, January 8, 1808.

DEAR SIR,—Your letter of December 29th brings to my mind a subject which never has presented itself but with great pain, that of your withdrawing from the administration, before I withdraw myself. It would have been to me the greatest of consolations to have gone through my term with the same coadjutors, and to have shared with them the merit, or demerit, of whatever good or evil we may have done. The integrity, attention, skill, and economy with which you have conducted your department, have given me the most complete and unqualified satisfaction, and this testimony I bear to it with all the sincerity of truth and friendship; and should a war come on, there is no person in the United States to whose management and care I could commit it with equal confidence. That you as well as myself, and all our brethren, have maligners, who from ill-temper,

or disappointment, seek opportunities of venting their angry passions against us, is well known, and too well understood by our constituents to be regarded. No man who can succeed you will have fewer, nor will any one enjoy a more extensive confidence through the nation. Finding that I could not retain you to the end of my term, I had wished to protract your stay, till I could with propriety devolve on another the naming of your successor. But this probably could not be done till about the time of our separation in July. Your continuance however, till after the end of the session, will relieve me from the necessity of any nomination during the session, and will leave me only a chasm of two or three months over which I must hobble as well as I can. My greatest difficulty will arise from the carrying on the system of defensive works we propose to erect. That these should have been fairly under way, and in a course of execution, under your direction, would have peculiarly relieved me; because we concur so exactly in the scale on which they are to be executed. Unacquainted with the details myself, I fear that when you are gone, aided only by your chief clerk, I shall be assailed with schemes of improvement and alterations which I shall be embarassed to pronounce on, or withstand, and incur augmentations of expense, which I shall not know how to control. I speak of the interval between the close of this session, when you propose to retire, and the commencement of our usual recess in July.

Because during that recess, we are in the habit of leaving things to the chief clerks; and, by the end of it, my successor may be pretty well known, and prevailed on to name yours. However, I am so much relieved by your ekeing out your continuance to the end of the session, that I feel myself bound to consult your inclinations then, and to take on myself the difficulties of the short period then ensuing. In public or in private, and in all situations, I shall retain for you the most cordial esteem, and satisfactory recollections of the harmony and friendship with which we have run our race together; and I pray you now to accept sincere assurances of it, and of my great respect and attachment.

TO MESSRS. MAESE, LEYBERT AND DICKERSON, OF THE AMERICAN PHILOSOPHICAL SOCIETY.

WASHINGTON, January 9, 1808.

GENTLEMEN,—I duly received your favor of the 1st instant, informing me that at an election of officers of the American Philosophical Society, held at their hall on that day, they were pleased unanimously to elect me as their President for the ensuing year. I repeat, with great sensibility, my thanks to the Society for these continued proofs of their good will, and my constant regret that distance and other duties deny me the pleasure of performing at their meetings the functions assigned to me, and of enjoying an intercourse with them which of all others

would be the most gratifying to me. Thus circumstanced I can only renew assurances of my devotion to the objects of the Institution, and that I shall avail myself with peculiar pleasure of every occasion which may occur of promoting them, and of being useful to the Society.

I beg leave through you, Gentlemen, to present them the homage of my dutiful respects, and that you will accept yourselves, the assurances of my high consideration and esteem.

TO ALBERT GALLATIN.

January 10, 1808.

I find Bastrop's case less difficult than I had expected. My view of it is this: The Governor of Louisiana being desirous of introducing the culture of wheat into that province, engages Bastrop as an agent for carrying that object into effect. He agrees to lay off twelve leagues square on the Washita and Bayou land, as a settlement for the culture of wheat, to which Bastrop is to bring five hundred families, each of which families is to have four hundred arpens of the land; the residue of the twelve leagues square, we may understand, was to be Bastrop's premium. The government was to bear the expenses of bringing these emigrants from New Madrid, and was to allow them rations for six months,—Bastrop undertaking to provide the rations, and the government paying a real and a half for each.

Bastrop binds himself to settle the five hundred families in three years, and the Governor especially declares that if within that time the major part of the establishment shall not have been made good, the *twelve leagues square*, destined for Bastrop's settlers, shall be occupied by the families first presenting themselves for that purpose. Bastrop brings on some settlers,—how many does not appear, and the Intendant, from a want of funds, suspends further proceeding in the settlement until the King's decision. [His decision of what? Doubtless whether the settlement shall proceed on these terms, and the funds be furnished by the King? or shall be abandoned?] He promises Bastrop, at the same time, that the former limitation of three years shall be extended to two years, after the course of the contract shall have again commenced to be executed, and the determination of the King shall be made known to Bastrop. Here, then, is a complete suspension of the undertaking until the King's decision, and his silence from that time till, and when, he ceded the province, must be considered as an abandonment of the project.

There are several circumstances in this case offering ground for question, whether Bastrop is entitled to any surplus of the lands. But this will be an investigation for the Attorney General. But the uttermost he can claim is a surplus proportioned to the number of families he settled, that is to say, a quota of land bearing such a proportion to the num-

ber of families he settled, (deducting four hundred arpens for each of them,) as one hundred and forty-four square leagues bear to the whole number of five hundred families. The important fact therefore to be settled, is the number of families he established there before the suspension.

The Marquis du Maison Rouge (under whom Mr. Clarke claims) was to have thirty square leagues on the Washita, for settling thirty families, none of them to be Americans. The lands were located and appropriated under the terms and conditions stipulated and contracted for by the said Marquis. What these were we are not told. The grantee must prove his grant by producing it. That will prove what the conditions were, and then he must prove these conditions performed.

Livingston's argument does not establish the fact that the lands between the staked line and the river, (if they belonged to the Jesuits,) were conveyed to Gravier.

It is impossible to consider the indulgence to the Apelousas as anything more than a *voluntary* permission from the government to use the timber on the ungranted lands, until they should be granted to others. It could never be intended to keep that country forever unsettled, as appears by expressly reserving the right of soil. But I think we should continue the permission until we sell the lands.

These opinions are, of course, not to be considered as decisions, (for that is not my province,) but as

general ideas of the rights of the United States, to be kept in view on the settlement.

The appropriation of the lots in New Orleans must certainly be suspended, until we get the supplementary information promised. Affectionate salutations.

TO WILLIAM WIRT, ESQ.

WASHINGTON, January 10, 1808.

DEAR SIR,—I pray you that this letter may be sacredly secret, because it meddles in a line wherein I should myself think it wrong to intermeddle, were it not that it looks to a period when I shall be out of office, but others might think it wrong notwithstanding that circumstance. I suspected, from your desire to go into the army, that you disliked your profession, notwithstanding that your prospects in it were inferior to none in the State. Still I know that no profession is open to stronger antipathies than that of the law. The object of this letter, then, is to propose to you to come into Congress. That is the great commanding theatre of this nation, and the threshold to whatever department of office a man is qualified to enter. With your reputation, talents, and correct views, used with the necessary prudence, you will at once be placed at the head of the republican body in the House of Representatives; and after obtaining the standing which a little time will ensure you, you may look, at your own will, into the military, the

judiciary, diplomatic, or other civil departments, with a certainty of being in either whatever you please. And in the present state of what may be called the eminent talents of our country, you may be assured of being engaged through life in the most honorable employments. If you come in at the next election, you will begin your course with a new administration. That administration will be opposed by a faction, small in numbers, but governed by no principle but the most envenomed malignity. They will endeavor to batter down the executive before it will have time, by its purity and correctness, to build up a confidence with the people, founded on experiment. By supporting them you will lay for yourself a broad foundation in the public confidence, and indeed you will become the Colossus of the republican government of your country. I will not say that public life is the line for making a fortune. But it furnishes a decent and honorable support, and places one's children on good grounds for public favor. The family of a beloved father will stand with the public on the most favorable ground of competition. Had General Washington left children, what would have been denied to them?

Perhaps I ought to apologize for the frankness of this communication. It proceeds from an ardent zeal to see this government (the idol of my soul) continue in good hands, and from a sincere desire to see you whatever you wish to be. To this apology I shall only add my friendly salutations, and assurances of sincere esteem and respect.

TO ROBERT SMITH.

January 14, 1808.

I return you Chauncey's letter. I am sorry to see the seamen working for rations only, and that we cannot allow even them. And further, indeed, that we shall be under the necessity of discharging a number of those we have. This is so serious a question that I propose to call a consultation on it a day or two hence. Our sixty-four gunboats and ketches may certainly be reduced to ten seamen each, at least I have at various times had the opinions of nearly all our naval captains, that from eight to ten men are sufficient to keep a gunboat clean and in order, to navigate her in harbor, and to look out of it. This would give us a reduction of about four hundred men. But even this will not bring it within the estimate. However, what is to be done, is the question on which I shall propose a consultation. I send you a letter of a Mr. Walton, of Baltimore, for perusal, merely as it suggests ideas worth looking at. I confess, I think our *naval militia* plan, both as to name and structure, better for us than the English plan of seafencibles.

I ought to be in possession of a former letter from the same person, but not finding it among my papers, am induced to ask whether I sent it to you? Affectionate salutations.

TO ROBERT SMITH

January 15, 1808.

To the letter from Mr. Davy, of the committee of the chamber of commerce, of Philadelphia, (which I now return you,) I think you may say in answer, that you had communicated it to the President, and were authorized to say that the Government of the United States have no present views of forming new harbors for the reception of their vessels of war: that under the authority, and with the means, lately given by the Legislature to the executive, it is intended to furnish means of defence, by land and water, to the several harbors of the United States, in proportion to their importance and local circumstances: that all the points to be defended are not yet definitively decided on; but that in reviewing them, the harbor proposed by the chamber of commerce, to be formed near Lewistown, will be considered, and will have a just participation in the provisions for protection, in the first place according to its present circumstances, and hereafter according to any new importance which shall have been given it by being made a place of greater resort for merchant vessels. Affectionate salutations.

TO MR. J. DORSEY.

WASHINGTON, January 21, 1808.

SIR,—I have to acknowledge the receipt of your favor of December 20th, and am much pleased

to find our progress in manufactures to be so great. That of cotton is peculiarly interesting, because we raise the raw material in such abundance, and because it may, to a great degree, supply our deficiencies both in wool and linen. A former application on behalf of Messrs. Binney & Robertson, was delivered to the Secretary of State, who will engage General Armstrong to aid such measures as they may take in Paris for obtaining permission to draw supplies of antimony from thence.

It will give me real pleasure to see some good system of measures and weights introduced and combined with the decimal arithmetic. It is a great and difficult question whether to venture only on a half reformation, which by presenting fewer innovations, may be more easily adopted, or, as the French have tried with success, make a radical reform. Your plan presents as few innovations as any I have seen; but I think your *foot* should refer to the pendulum, by saying, for instance, that the *foot* shall be a measure which shall be to the second pendulum as 1 to 3, 267; or rather as 1 to the length of a pendulum vibrating seconds in latitude 45°. This offers a standard in every place, because it can everywhere be found. The rod you propose is only to be found in Philadelphia. You say in your letter that "if the decimal mode obtain in the division of the pound, the Troy and it, as regards the Troy grain, would be the same." I do not understand this; because the Avoirdupois pound containing 7,000 Troy grains, I

do not see how any decimal subdivision of the pound could coincide with the Troy grain. However, I shall be very glad to see adopted whatever measure is most promising. I salute you with esteem and respect.

TO THE REV. SAMUEL MILLER.

WASHINGTON, January 23, 1808.

SIR,—I have duly received your favor of the 18th, and am thankful to you for having written it, because it is more agreeable to prevent than to refuse what I do not think myself authorized to comply with. I consider the government of the United States as interdicted by the Constitution from intermeddling with religious institutions, their doctrines, discipline, or exercises. This results not only from the provision that no law shall be made respecting the establishment or free exercise of religion, but from that also which reserves to the States the powers not delegated to the United States. Certainly, no power to prescribe any religious exercise, or to assume authority in religious discipline, has been delegated to the General Government. It must then rest with the States, as far as it can be in any human authority. But it is only proposed that I should *recommend*, not prescribe a day of fasting and prayer. That is, that I should *indirectly* assume to the United States an authority over religious exercises, which the Constitution has directly precluded them from. It must

be meant, too, that this recommendation is to carry some authority, and to be sanctioned by some penalty on those who disregard it; not indeed of fine and imprisonment, but of some degree of proscription, perhaps in public opinion. And does the change in the nature of the penalty make the recommendation less a *law* of conduct for those to whom it is directed? I do not believe it is for the interest of religion to invite the civil magistrate to direct its exercises, its discipline, or its doctrines; nor of the religious societies, that the General Government should be invested with the power of effecting any uniformity of time or matter among them. Fasting and prayer are religious exercises; the enjoining them an act of discipline. Every religious society has a right to determine for itself the times for these exercises, and the objects proper for them, according to their own particular tenets; and this right can never be safer than in their own hands, where the Constitution has deposited it.

I am aware that the practice of my predecessors may be quoted. But I have ever believed, that the example of State executives led to the assumption of that authority by the General Government, without due examination, which would have discovered that what might be a right in a State government, was a violation of that right when assumed by another. Be this as it may, every one must act according to the dictates of his own reason, and mine tells me that civil powers alone have been given to the President

of the United States, and no authority to direct the religious exercises of his constituents.

I again express my satisfaction that you have been so good as to give me an opportunity of explaining myself in a private letter, in which I could give my reasons more in detail than might have been done in a public answer; and I pray you to accept the assurances of my high esteem and respect.

TO JOEL BARLOW.

January 24, 1808.

Thomas Jefferson returns thanks to Mr. Barlow for the copy of the Columbiad he has been so kind as to send him; the eye discovers at once the excellence of the mechanical execution of the work, and he is persuaded that the mental part will be found to have merited it. He will not do it the injustice of giving it such a reading as his situation here would admit, of a few minutes at a time, and at intervals of many days. He will reserve it for that retirement after which he is panting, and not now very distant, where he may enjoy it in full concert with its kindred scenes, amidst those rural delights which join in chorus with the poet, and give to his song all its magic effect. He salutes Mr. Barlow with friendship and respect.

TO HIS EXCELLENCY GOVERNOR DANIEL D. TOMKINS.[1]

WASHINGTON, January 26, 1808.

SIR,—I take the liberty of enclosing to you the copy of an application which I have received from a portion of the citizens of the State of New York, residing on the river St. Lawrence and Lake Ontario, setting forth their very defenceless situation for the want of arms, and praying to be furnished from the magazines of the United States. Similar applications from other parts of our frontier in every direction have sufficiently shown that did the laws permit such a disposition of the arms of the United States, their magazines would be completely exhausted, and nothing would remain for actual war. But it is only when troops take the field, that the arms of the United States can be delivered to them. For the ordinary safety of the citizens of the several States, whether against dangers within or without, their reliance must be on the means to be provided by their respective States. Under these circumstances I have thought it my duty to transmit to you the representation received, not doubting that you will have done for the safety of our fellow citizens, on a part of our frontier so interesting and so much exposed, what their situation requires, and the means under your control may permit.

Should our present differences be amicably settled, it will be a question for consideration whether we

[1] Governor of New York.

should not establish a strong post on the St. Lawrence, as near our northern boundary as a good position can be found. To do this at present would only produce a greater accumulation of hostile force in that quarter. I pray you to accept the assurances of my high respect and esteem.

TO JACOB J. BROWN, ESQ.

WASHINGTON, January 27, 1808.

SIR,—The representation of the county of Jefferson, in New York, of which you are chairman, stating their want of arms, and asking a supply, has been duly received and considered. I learn with great concern that a portion of our frontier so interesting, so important, and so exposed, should be so entirely unprovided with common fire-arms. I did not suppose any part of the United States so destitute of what is considered as among the first necessaries of a farm-house. This circumstance gives me the more concern as the laws of the United States do not permit their arms to be delivered from the magazines but to troops actually taking the field; and, indeed, were the inhabitants on the whole of our frontier, of so many thousands of miles, to be furnished from our magazines, little would be left in them for actual war. For the ordinary safety of the citizens of the several States, whether against dangers from within or without, reliance has been placed either on the domestic means of the

individuals, or on those provided by the respective States. What those means are in the State of New York, I am not informed; but I have transmitted your representation to Governor Tomkins, with an earnest recommendation of it to his attention; and I have no doubt that his solicitude for the welfare and safety of a portion so eminently exposed of those under his immediate care, will ensure to you whatever his authority and his means will permit.

That an attack should be made on you by your neighbors, while the state of peace continues, cannot be supposed; nor is it certain that that condition of things will be interrupted. Should, however, war take place, if first declared by us, your safety will of course have been previously provided for: if by the other party, it cannot be before the measures now in preparation will be in readiness to secure you. Should our present differences be amicably settled, a new post on the St. Lawrence, as near our northern boundary as a good position can be found, will be worthy of consideration. At present it would only produce a greater accumulation of hostile force in your neighborhood, and if we should have war, it would soon become unimportant.

On the whole, while I am in hopes that your State will provide by the loan of arms, for your immediate safety and confidence, you may be assured that such measures shall be in readiness, and in reach, on the part of the General Govern-

ment, as aided by your own efforts, will effectually secure you from the dangers you apprehend.

I cannot conclude without expressing to you the satisfaction with which I have received the patriotic assurance of your best services, should they be needed in your country's cause. They are worthy of the citizens of a free country, who know and properly estimate the value of self-government, and are the more acceptable as from a quarter where they will be most important.

I beg leave to assure yourself, and through you the committee, of my great consideration and respect.

TO JACOB J. BROWN.

WASHINGTON, January 27, 1808.

SIR,—The substance of the enclosed letter, so far as is necessary for the satisfaction of our fellow citizens, should be communicated to them. But the letter itself should not be published, nor be permitted to be copied. Because the source from which it comes will occasion every word of it to be weighed by your neighbors on the opposite shore, and every inference to be drawn of which it is susceptible. To aid their information as to our views, would give them an advantage to our own prejudice. I salute you with respect.

TO EDWARD TIFFIN.

January 30, 1808.

Thomas Jefferson returns the enclosed to Mr. Tiffin with his thanks for the communication. He cannot foresee what shape Burr's machinations will take next. If we have war with Spain, he will become a Spanish General. If with England, he will go to Canada and be employed there. Internal convulsion may be attempted if no game more hopeful offers. But it will be a difficult one, and the more so as having once failed.

TO WILLIAM M'INTOSH.

WASHINGTON, January 30, 1808.

SIR,—I received some days ago your letter of December 15th, covering a copy of the resolutions of the French inhabitants of Vincennes of September 18th, in answer to the address of Governor Harrison, who had, in the month of October, forwarded me a copy of the same. In his letter enclosing it he assured me that his address to them on the subject of our differences with England was merely monitory, putting them on their guard against insinuations from any agents of that country, who might find their way among them, and containing no expression, which if truly explained to them, should have conveyed the least doubt of his confidence in their fidelity to the United States. I had hoped,

therefore, that the uneasiness expressed in their resolutions had been done away by subsequent explanations, as I have no reason to believe any such distrust existed in the Governor's mind. I can assure them that he never expressed such a sentiment in any of his communications to me, but that whenever he has had occasion to speak of them, it has been in terms of entire approbation and attachment. In my own mind certainly no doubts of their fidelity have ever been excited or existed. Having been the Governor of Virginia when Vincennes and the other French settlements of that quarter surrendered to the arms of that State, twenty-eight years ago, I have had a particular knowledge of their character as long perhaps as any person in the United States, and in the various relations in which I have been placed with them by the several offices I have since held, that knowledge has been kept up. And to their great honor I can say that I have ever considered them as sober, honest, and orderly citizens, submissive to the laws, and faithful to the nation of which they are a part. And should occasion arise of proving their fidelity in the cause of their country, I count on their aid with as perfect assurance as on that of any other part of the United States. In return for this confidence, and as an additional proof on their part that it is not misplaced, I ask of them a return to a perfect good understanding with their Governor, and to that respect for those

in authority over them, which has hitherto so honorably marked their character. As to myself they may be assured that my confidence in them is undiminished, and that nothing will be wanting on the part of the General Government to secure them in the full participation of all the rights civil and religious which are enjoyed by their fellow citizens in the Union at large.

I beg leave through you to salute them, as well as yourself, with affection and respect.

TO GOVERNOR WILLIAM H. HARRISON.[1]

WASHINGTON, January 30, 1808.

DEAR SIR,—I duly received your letter of October 10th, covering the resolutions of the French inhabitants of Vincennes, and had hoped that their uneasiness under your supposed want of confidence in them had subsided. But a letter lately received from their chairman, covering another copy of the same resolutions, induces me to answer them, in order to quiet all further uneasiness. I enclose you my answer, open for your perusal, and will thank you to seal and deliver it. I have expressed to them the opinion I have long entertained of the ancient Canadian French, on a long course of information, and as it is favorable to them, I trust it will be soothing, and restore those good dispositions which will ease the execution of your duties, and tend to

[1] Governor of Indiana Territory.

produce that union which the present crisis calls for.

Russia and Portugal have cut off all intercourse with England; their ambassadors re-called, and war follows of course. Our difficulties with her are great, nor can it yet be seen how they will terminate.

Accept my salutations, and assurances of great respect and esteem.

TO ALBERT GALLATIN.

February 8, 1808.

In questions like the present, important neither in principle nor amount, I think the collectors should decide for themselves, and especially as they, and they only, are the legally competent judges; for I believe the law makes them the judges of the security. If the indulgence proposed be within the intentions of the law, they can grant it; if it be not, we cannot. But it is the practice in all cases for the officer who is charged with the taking security, to be indulgent in a hard case, as where the person is a stranger, could he not take hypothecations of their vessels? although the law may not specially authorize this, yet the collector can take it as counter security for himself, and he can assign it to the government. Affectionate salutations.

TO ALBERT GALLATIN.

February 10, 1808.

It would certainly be very desirable that our citizens should be able to draw home their property from beyond sea, and it is possible that Mr. Parish's proposition might be instrumental to that. But it would be too bold an extension of the views of the Legislature in the portion of discretion they have given us. They could not mean to give us so extensive a power of dispensation as would result from the duty of giving special licenses to merchants, and such a power, guided by no Legislative regulations, would be liable to great abuse, and greater complaints of it. I see, therefore, neither justification nor safety in leaving the ground we have taken of confining the discretionary power given us to the public correspondence and public interests. If the drawing this mass of specie here could be any way connected with any direct public operation, the danger of the precedent would be guarded against; but as it is presented to us, I think it inadmissible. Affectionate salutations.

TO ROBERT SMITH.

February 14, 1808.

I believe we must employ some of our gunboats to aid in the execution of the embargo law. Some British ships in the Delaware, one of them loaded

with fifteen hundred barrels of flour for Jamaica, another armed as a letter of marque, openly mean to go out by force. The last is too strong for the revenue cutters. Mr. Brice also, of Baltimore, asks armed assistance. I see nothing at present to prevent our sparing a couple of gunboats from New York to go into the Delaware, and a couple from Norfolk to come up to the head of the Bay. Will this interfere with more important duties? Affectionate salutations.

TO ALBERT GALLATIN.

February 14, 1808.

I have written to Mr. Smith, proposing to order a couple of gunboats from New York into the Delaware, and two from Norfolk to the head of the bay. I hope the passage of naval stores into Canada will be prevented. I enclose for your information the account of a silver mine to fill your treasury. Affectionate salutations.

TO DANIEL SALMON.

WASHINGTON, February 15, 1808.

SIR,—I have duly received your letter of the 8th instant, on the subject of the stone in your possession, supposed meteoric. Its descent from the atmosphere presents so much difficulty as to require careful examination. But I do not know that the

most effectual examination could be made by the members of the National Legislature, to whom you have thought of exhibiting it. Some fragments of these stones have been already handed about among them. But those most highly qualified for acting in *their* stations, are not necessarily supposed most familiar with subjects of natural history; and such of them as have that familiarity, are not in situations here to make the investigation. I should think that an inquiry by some one of our scientific societies, as the Philosophical Society of Philadelphia for example, would be most likely to be directed with such caution and knowledge of the subject, as would inspire a general confidence. We certainly are not to deny whatever we cannot account for. A thousand phenomena present themselves daily which we cannot explain, but where facts are suggested, bearing no analogy with the laws of nature as yet known to us, their verity needs proofs proportioned to their difficulty. A cautious mind will weigh well the opposition of the phenomenon to everything hitherto observed, the strength of the testimony by which it is supported, and the errors and misconceptions to which even our senses are liable. It may be very difficult to explain how the stone you possess came into the position in which it was found. But is it easier to explain how it got into the clouds from whence it is supposed to have fallen? The actual fact however is the thing to be established, and this I hope will be done by those whose situations and qualifi-

cations enable them to do it. I salute you with respect.

TO ANTHONY G. BETTAY.

WASHINGTON, February 18, 1808.

SIR,—I have duly received your letter of January 27th. With respect to the silver mine on the river Platte, 1,700 miles from St. Louis, I will observe that in the present state of things between us and Spain, we could not propose to make an establishment at that distance from all support. It is interesting, however, that the knowledge of its position should be preserved, which can be done either by confiding it to the government, who will certainly never make use of it without an honorable compensation for the discovery to yourself or your representatives, or by placing it wherever you think it safest.

I should be glad of a copy of any sketch or account you may have made of the river Platte, of the passage from its head across the mountains, and of the river Cashecatungo, which you suppose to run into the Pacific. This would probably be among the first exploring journeys we undertake after a settlement with Spain, as we wish to become acquainted with all the advantageous water connections across our continent.

I shall be very glad to receive some seed of the silk nettle which you describe, with a view to have

it raised, and its uses tried. I have not been able to find that any of your delegates here has received it. If you would be so good as to send me a small packet of it by post, it will come safely, and I will immediately commit it to a person who will try it with the utmost care. I salute you with respect.

TO COLONEL JAMES MONROE.

WASHINGTON, February 18, 1808.

MY DEAR SIR,—You informed me that the instruments you had been so kind as to bring for me from England, would arrive at Richmond with your baggage, and you wished to know what was to be done with them there. I will ask the favor of you to deliver them to Mr. Jefferson, who will forward them to Monticello in the way I shall advise him. And I must entreat you to send me either a note of their amount, or the bills, that I may be enabled to reimburse you. There can be no pecuniary matter between us, against which this can be any set-off. But if, contrary to my recollection or knowledge, there were anything, I pray that that may be left to be settled by itself. If I could have known the amount beforehand, I should have remitted it, and asked the advance only under the idea that it should be the same as ready money to you on your arrival. I must again, therefore, beseech you to let me know its amount.

I see with infinite grief a contest arising between

yourself and another, who have been very dear to each other, and equally so to me. I sincerely pray that these dispositions may not be affected between you; with me I confidently trust they will not. For independently of the dictates of public duty, which prescribes neutrality to me, my sincere friendship for you both will ensure its sacred observance. I suffer no one to converse with me on the subject. I already perceive my old friend Clinton, estranging himself from me. No doubt lies are carried to him, as they will be to the other two candidates, under forms which, however false, he can scarcely question. Yet I have been equally careful as to him also, never to say a word on this subject. The object of the contest is a fair and honorable one, equally open to you all; and I have no doubt the personal conduct of all will be so chaste, as to offer no ground of dissatisfaction with each other. But your friends will not be as delicate. I know too well from experience the progress of political controversy, and the exacerbation of spirit into which it degenerates, not to fear for the continuance of your mutual esteem. One piquing thing said draws on another, that a third, and always with increasing acrimony, until all restraint is thrown off, and it becomes difficult for yourselves to keep clear of the toils in which your friends will endeavor to interlace you, and to avoid the participation in their passions which they will endeavor to produce. A candid recollection of what you know of each other will be the true corrective. With respect to myself,

I hope they will spare me. My longings for retirement are so strong, that I with difficulty encounter the daily drudgeries of my duty. But my wish for retirement itself is not stronger than that of carrying into it the affections of all my friends. I have ever viewed Mr. Madison and yourself as two principal pillars of my happiness. Were either to be withdrawn, I should consider it as among the greatest calamities which could assail my future peace of mind. I have great confidence that the candor and high understanding of both will guard me against this misfortune, the bare possibility of which has so far weighed on my mind, that I could not be easy without unburdening it.

Accept my respectful salutations for yourself and Mrs. Monroe, and be assured of my constant and sincere friendship.

TO JOSEPH BRINGHURST.

WASHINGTON, February 24, 1808.

SIR,—I have to acknowledge the receipt of your letter of the 16th. It gave me the first information of the death of our distinguished fellow citizen, John Dickinson. A more estimable man, or truer patriot, could not have left us. Among the first of the advocates for the rights of his country when assailed by Great Britain, he continued to the last the orthodox advocate of the true principles of our new government, and his name will be consecrated in history

as one of the great worthies of the revolution. We ought to be grateful for having been permitted to retain the benefit of his counsel to so good an old age; still, the moment of losing it, whenever it arrives, must be a moment of deep-felt regret. For himself, perhaps, a longer period of life was less important, alloyed as the feeble enjoyments of that age are with so much pain. But to his country every addition to his moments was interesting. A junior companion of his labors in the early part of our revolution, it has been a great comfort to me to have retained his friendship to the last moment of his life.

Sincerely condoling with his friends on this affecting loss, I beg leave to tender my salutations to yourself, and assurances of my friendly respects.

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.
(JOSEPH B. VARNUM.)

WASHINGTON, February 27, 1808.

DEAR SIR,—I enclose you a copy of Armstrong's letter, covering the papers sent to Congress. The date was blank, as in the copy; the letter was so immaterial that I had really forgotten it altogether when I spoke with you last night. I feel myself much indebted to you for having given me this private opportunity of showing that I have kept back nothing material. That the federalists and a few others should by their vote make such a charge on

me, is never unexpected. But how can any join in it who call themselves friends? The President sends papers to the House, which he thinks the public interest requires they should see. They immediately pass a vote, implying irresistibly their belief that he is capable of having kept back other papers which the same interest requires they should see. They pretend to no direct proof of this. It must, then, be founded in presumption; and on what act of my life or of my administration is such a presumption founded? What interest can I have in leading the Legislature to act on false grounds? My wish is certainly to take that course with the public affairs which the body of the Legislature would prefer. It is said, indeed, that such a vote is to satisfy the federalists and their partisans. But were I to send twenty letters, they would say, "You have kept back the twenty-first; send us that." If I sent one hundred, they would say, "There were one hundred and one;" and how could I prove the negative? Their malice can be cured by no conduct; it ought, therefore, to be disregarded, instead of countenancing their imputations by the sanction of a vote. Indeed I should consider such a vote as a charge, in the face of the nation, calling for a serious and public defence of myself. I send you a copy, that you may retain it, and make such use of it among our friends as your prudence and friendship will deem best.

I salute you with great affection and respect.

TO ALBERT GALLATIN.

February 28, 1808.

There is no source from whence our fair commerce derives so much vexation, or our country so much danger of war, as from forged papers and fraudulent voyages. Nothing should, in my opinion, be spared, either of trouble or expense on our part, to aid all nations in detecting and punishing them. I would, therefore, certainly direct Mr. Gelston to furnish Heinecher with every proof in his power, and to assure him that it shall be done on all occasions. Would it not be well to give this assurance to all the foreign consuls? It would at least show the world that this government does not countenance those frauds; and should not instructions be given to all the collectors to furnish all proofs in their power on demand? The three Englishmen will, I presume, be punished by the laws of Holland, either as spies, or prisoners of war. If their laws will not take hold of our scoundrel, Gardner, of the Jane, perhaps that government would put him on board a vessel, under the order of our consul, to be brought and punished here for the forgery of papers. Would it not be well to put a summary statement of this case, and of our orders on the occasion, into Smith's paper? Would it be amiss even to send it to Congress by message, with a recommendation to provide punishments against this practice? Affectionate salutations.

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